

MINUTES

SPECIAL PLANNING COMMITTEE

November 8-9, 2017

A meeting of the Special Planning Committee of the County of Kaua'i, State of Hawai'i, was called to order by Mason K. Chock, Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Līhu'e, Kaua'i, on Wednesday, November 8, 2017, at 1:51 p.m., after which the following Members answered the call of the roll:

Honorable Arthur Brun (*Excused at 2:32 p.m.*)
Honorable Mason K. Chock
Honorable Derek S.K. Kawakami
Honorable JoAnn A. Yukimura
Honorable Arryl Kaneshiro
Honorable Mel Rapozo

Excused: Honorable Ross Kagawa

The Committee proceeded on its agenda item as follows:

Bill No. 2666 A BILL FOR AN ORDINANCE TO AMEND CHAPTER 7, ARTICLE 1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE UPDATE OF THE GENERAL PLAN FOR THE COUNTY OF KAUAI (ZA-2017-3) (This item was Deferred to the November 29, 2017 Special Planning Committee Meeting.)

Committee Chair Chock: Today, we will be hearing a presentation from our Planning Department on the Economy/Shared Spaces, and Heritage Resources. Thereafter, we will be having questions and answers and for tomorrow morning, again, scheduled for 8:30 a.m. public testimony, followed by any follow-up that we need to do on amendments, questions and answers. At this time, if there are no objections, I would like to suspend the rules and ask our Planning Department team to come forward. Please introduce yourself. I know Mike is out of town. We also do have a few resource people in the room, Councilmembers, if you have additional questions. I will just name who I see in the room right now. We have Diane Zachary, consultant for the Kaua'i Tourism Strategic Plan. *Aloha.*

There being no objections, the rules were suspended.

MARIE WILLIAMS, Planner: Good afternoon, Committee Chair and Councilmembers, as well. We are here to do our Department presentation on Topic 5 and today presenting will be two (2) Planners that have been working on this plan the entire length of the project, Lea Kaiaokamalie and Marisa Valenciano. We also have Ka'aina Hull, our Deputy Planning Director here as well. Before we begin, I would just like to first acknowledge that today, November 8, is actually World Town

Planning Day. It was a day established in 1949 to acknowledge the role of planning in our lives and how it brings people together to plan for their towns and cities and make more a livable place in our neighborhoods. With that, we will start our presentation. Thank you.

LEANORA KAIAOKAMALIE, Planner: Thank you, Planning Committee Chair, Council Chair, and Councilmembers. Lea Kaiaokamalie, for the record. Marisa and I will be providing an overview of three (3) sectors today. The Economy, Shared Spaces, and Heritage Resources Sectors. We will start with Economy first and I will hand it over to Marisa.

MARISA VALENCIANO, Planner: We first wanted to acknowledge development plans that were used to inform the Economy Sector and so the CEDS update, which is the Comprehensive Economic Development Strategy Plan. That update provided the baseline information and just ultimately the general direction for economic development on our island. The CEDS update informed the Economy Sector in the General Plan by identifying six (6) target industries and creating implementing actions to support growth in these promising areas. Also to point out, the Kaua'i Tourism Strategic Plan Update established priorities strategies that were incorporated as implementing actions in the Tourism Subsector. The Important Agricultural Lands (IAL) study was a technical study that was used as an input into the plan and the recommendations from the IAL was then integrated into the plan. As a reminder because of the nature of this topic, the Economic Subsector acts as a general category for the subsectors of tourism, agriculture, small businesses, and promising economic sectors. Before we talk about the policies and actions within tourism, we wanted to first ground the discussion based on what we heard from the community. And so as you can see the community provided a variety of input relating to tourism and so some people said that there were simply too much tourists and resort developments on the island and that there was not enough infrastructure to handle visitor growth. But on the other hand, other people recognized that tourism is our biggest industry that generates many jobs for local people. On the west side in particular, the community expressed the desire for more accommodations to support seasonal events and to host sports tournaments.

The community input we received was used to drive the rest of the plan. Here on this table we tried to organize this information in a way that we can connect the dots between community input and implementation. And so to address concerns about too much resort development and too many tourists, the relevant land use map changes including no expansion of the Visitor Destination Area (VDA) and the provision of resort policy. Example actions for the many resort development include permitting and code changes such as negotiating with entitled resorts to reduce unit counts and supporting the attrition of Transient Vacation Rentals (TVRs) outside of the VDA. To address concerns about too many tourists, the plan recommends actions that look to explore the development of a visitor caring capacity and supporting strategic planning for tourism. To acknowledge community comments on tourism's impact on the economy and improvements to the visitor experience, the relevant land use changes includes the Provisional Resort and the new designation of a University Zone. Some partnership actions for supporting jobs within the tourism industry include attracting new employees especially local residents to the visitor industry and training the visitor workforce in understanding Kaua'i's local culture.

For improving the visitor experience, projects and program actions could include developing alternative transportation options and to improve the route and

destination signage to alleviate congestion. For a full list of actions, you can see this on page 122 and page 160 in the Planning Commission Draft. I am going to pass it over to Lea, who will talk to about agriculture.

Ms. Kaiaokamalie: Thank you, Marisa. As with the Tourism Subsector, our community provided a variety of input relating to agriculture as well. Sentiments relate to access to water for farming, preserving agricultural lands, and helping farmers to farm. The subsection on agriculture as it relates to the economy begins on page 162. Regarding access to water and agricultural infrastructure, streams and reservoirs as well as those lands that were designated as IALs are included on the future land use maps. Examples of actions under permitting and code changes include requiring preservation of viable irrigation systems, both government-owned and privately-owned to support the supply of irrigation water to farms, and to reduce water rates for landowners of agricultural lands in active production. Examples of two (2) implementing actions to help farmers to farm and this one is on the bottom include, revise the agricultural property regime, including, but not limited to, the agricultural dedication program we currently have. To increase incentives to lease lands for productive farms and to provide incentives and opportunities for agricultural housing, jobs, training, processing transfer of goods and other needs, and to expand direct financial and tax assistance to agricultural enterprises.

Ms. Valenciano: On the Topic of Small Businesses and Promising Economic Sectors, the community sentiment was generally about supporting small businesses and encouraging economic diversification. Many people expressed the financial difficulty in regulatory barriers to starting and maintaining a business and others shared that we do not have the infrastructure and available lands to attract the right kind of businesses that we want in our communities. The Future Land Use Maps support revitalizing town centers and supporting businesses through the neighborhood center, neighborhood general designation, and the special planning areas in Līhu'e and south Kaua'i.

An example of an action to revitalize town centers is to develop business improvement districts to fund revitalization efforts. Some of the actions identified in the plan focus on reducing barriers and supporting businesses through permitting and code changes. The plan also includes an industrial designation and this was to address concerns regarding the lack of the industrial area outside of the Līhu'e Planning District. Finally, to support small businesses, the plan includes a University Zone to continue implementing actions of encouraging business planning assistance, career planning, and entrepreneurial training. For a full list of these actions relating to this subsector, you can refer back to pages 169 and 170. We are going to move on to Sector 5 and this is the sector about Shared Spaces.

We just want to start off by saying that we constantly refer to this term called "shared spaced" and so what does it means. Shared spaces simply describes the common areas where the community gathers and this can include everything from town centers, streets, beaches, and parks. This is just to point out that the shared spaces section of the plan incorporates information from other plans that were recently adopted and this includes our community plans, such as South Kaua'i Community Plan and the Līhu'e Community Plan, as well as the Parks Master Plan. Finally, it also integrates the work done by the Hā'ena State Park Master Plan as well as the one for Kokee and the Waimea Canyon State Park. Shared Spaces Sector covers more details on the following subsectors of parks. This includes our County

parks in the range of beach parks, regional parks, et cetera, as well as State parks, town centers, and linear parks and trails. Just to go back to the community sentiment. The community desired some level of park improvements that range from addressing the lack of parking to providing safer places for kids to play in the neighborhood. Others shared with us their ideas to enhance town centers through public art and providing more places for people to gather. Finally, some people were concerned about preserving and protection *mauka* to *makai* access for subsistence gathering and recreation.

Regarding town center, the land use map includes the neighborhood center, neighborhood general, and special planning areas around existing towns to encourage infill housing and mixed use places to encourage a vibrant town center. The plan also recommends actions such as the implementing the economic revitalization projects such as the Transportation Investment Generating Economic Recovery (TIGER) grant. Recommended actions to support public art include identifying opportunities to activate public spaces with artwork, programs, and performances. Finally, the land Use Map now identifies parks as a separate designation from agriculture and natural areas. Recommended actions to continue the maintenance of the existing parks include implementing and updating the Parks Master Plan and expanding the parks stewardship agreement program.

Ms. Kaiaokamalie: We are moving right along. The last sector for today's discussion under Topic 5 is Sector 7, Heritage Resources. This sector discussion can be found on pages 171 through 178. The three (3) subsectors under the Heritage Resource Sector are Wahi Pana, cultural sites and resources, landmarks and scenic resources, historic buildings, and structures and places. The community sentiments on Heritage Resources were generally consistent through the community process. Respect the preservation of sacred and historic places, knowing the significance of places particularly through their names, preserving the unique and historic character of our rural towns, and interest and what *kuleana* are and how to protect those rights. Again these were just examples that we are putting forward of the input that we receive through the community process.

Relating to Wahi Pana, cultural sites and resources. The heritage resources map provides general locations and concentrations of registered historic sites, cultural features, priority access points, and of course, this comes from the report to County Council by the Public Access, Open Space, and Natural Resources Preservation Fund Commission (Open Space Commission); threatened and endangered species, traditional cultivated areas, and other features. Neighborhood centers or town centers and the surrounding neighborhood general designations identified on the future land use maps, are areas in which recommended implementation actions for reuse and renovation of the historic structures could be prioritized, such as through permitting or code changes. The heritage resources maps also provide the general locations of important landmarks and scenic resources, including the Kōloa Scenic Bypass Corridor and the Historic Belt Road on the North Shore. Included in the Implementing Action Section is the recommendation to do a study that provides an inventory of scenic resources or views, view planes, visual resources, and key landmarks. This was a specific recommendation from the Kaua'i Historic Preservation Review Commission, who along with the Open Space Commission participated in the plan input process. This concludes our overview of the sector topics. As Planning Committee Chair said, we have also invited some resource people here to answer your questions.

Committee Chair Chock: Okay, in addition to Diane, who I mentioned earlier, I also see the Office of Economic Development, Nalani and George here. I see some people from the coalition here. On the list, Mark Perriello, who I do not see here. Lenny Rapozo from Parks and Alan Carpenter from...oh, this is for Thursday. Members, I would like to open it up for questions at this time regarding the presentation. I would like to go actually by section, so if we could go down and head into Tourism, first. But anything in regarding to the actual presentation and then also the sector that we are talking about. Any questions on the plans for the Economy and the Economic Sectors, which were the first few slides. Councilmember Yukimura.

Councilmember Yukimura: I am looking at your chart on page 96, where you have a summary of goals and sectors. Can we show that on the screen?

Committee Chair Chock: Are you referring to the Summary of Goals and Sectors Table...

Councilmember Yukimura: Yes, under Economy. I do not know if we are going to be able to stay in the exact order because it says, "Protect high quality ag lands from development," and so I presume that the first order of protection is IAL. Is that correct?

KA'AINA HULL, Deputy Director of Planning: That is one (1) measurement of protecting agricultural lands just maintaining the General Plan designation of agriculture and keeping agriculture within that designation, is also a method of protection, as well as pursuing policies that ensure no further abuses of agricultural land can continue—is again another method of protecting agricultural lands.

Councilmember Yukimura: You do not disagree, though, that IAL since it is an implementation of a constitutional amendment is one of the keys?

Mr. Hull: Yes, definitely, it is one of the crucial strategies.

Councilmember Yukimura: Okay, so I would like to take a look at where the IAL lands are. Can you run us through where all the IAL lands are in each designation or however you want to present it where they are?

Ms. Kaiaokamalie: Sure. I am looking back at the presentation that we did this February regarding IAL and taking from the slide that we had showing that. Just to remind you folks that currently there is about thirty-seven thousand four hundred ten (37,410) acres that were designated IAL lands on this island. Those lands include agricultural lands held by the Robinson Family Partners.

Councilmember Yukimura: Can we have the map? This is yours right?

Ms. Kaiaokamalie: No. Not mine that I know of. This is mine.

Committee Chair Chock: No.

Councilmember Yukimura: Why do we not go district-by-district then we will use your Land Use Maps.

Ms. Kaiaokamalie: Okay. In west Kaua'i, between the Waimea-Kekaha and Hanapēpē.

Committee Chair Chock: Hold on. Which map are you referring to or page number, so that I can bring it up?

Councilmember Yukimura: Page 227, Waimea-Kekaha.

Ms. Kaiaokamalie: I believe it also can be seen on the island-wide Future Land Use Map.

Committee Chair Chock: Okay.

Ms. Kaiaokamalie: Which is in the beginning of the map section, page 227.

Councilmember Yukimura: Was there a reason why the Land Use Maps were not put on without the topographical markings?

Ms. Kaiaokamalie: Without the hill shade, the contours? Is that what you are referring to?

Councilmember Yukimura: Right.

Ms. Kaiaokamalie: Those could be added in.

Councilmember Yukimura: Could they?

Ms. Kaiaokamalie: Yes, absolutely.

Councilmember Yukimura: Okay, that would be really helpful.

Committee Chair Chock: Are you talking about all the maps, Councilmember Yukimura?

Councilmember Yukimura: The Land Use Maps that are pages 127 to...

Ms. Williams: I believe that our existing General Plans Future Land Use Map does in fact show the contoured lines. It is something that we could add back in if that is the will of the Council.

Committee Chair Chock: Let us try to stay on one (1) subject at a time, but I understand how...

Councilmember Yukimura: Well, it is relating to the mapping.

Ms. Kaiaokamalie: Shall I continue providing...

Councilmember Yukimura: Yes, thank you.

Ms. Kaiaokamalie: Starting on the west side, the lands that are held by the Robinson Family Partners, this was done in 2016, twenty thousand eight hundred eighty (20,880) acres. McBryde Sugar Company 2009.

Councilmember Yukimura: Wait, wait, wait. So, in Waimea-Kekaha is twenty thousand acres in that location?

Ms. Kaiaokamalie: Between the west Kaua'i district, between Waimea-Kekaha and Hanapēpē-'Ele'ele, basically-Makaweli.

Councilmember Yukimura: So it is the two (2) Land Use Maps?

Ms. Kaiaokamalie: I believe it might be slip between...but you can see it on the island-wide Future Land Use Map that is up there.

Councilmember Yukimura: Okay, which is 225 and that is the total of twenty thousand (20,000) acres.

Ms. Kaiaokamalie: Twenty thousand eight hundred eighty-eight (20,888) acres.

Councilmember Yukimura: Okay. How are those lands designated?

Ms. Kaiaokamalie: Through the Land Use Commission process.

Councilmember Yukimura: But it was on a landowner petition right?

Ms. Kaiaokamalie: Yes.

Councilmember Yukimura: The Planning Department is a party to that process right?

Ms. Kaiaokamalie: Yes.

Councilmember Yukimura: What was our position about the proposed designation?

Mr. Hull: We had no objections to the petition.

Councilmember Yukimura: When I talked to the agricultural people and the soils people, the really prime ag lands are the *makai* lands because they are usually the flat lands and they also have the most sun. Why would we have not objected...and I see that these lands do not even go down to the main highway where access is very important. Why did we not object? They do not seem to be the best ag lands.

Mr. Hull: While indeed the department would support a petition by any landowner putting what is in, some people's opinion, I guess a higher grade of agricultural land, into the AIL classification, if it is a viable to do agriculture and the fact that that petition demonstrated their participating agriculture to this day, the department is not in the position it feels to object to conserving those agricultural lands for future agricultural purposes as well.

Councilmember Yukimura: But it then precludes some really good ag lands because the way the State law is framed, once they do a certain percentage of their land, we cannot go in even though, we, on behalf of the public, representing the

public interest think that those lands are better. Why did we not assert what the ag people tell me are the best lands in Waimea-Kekaha?

Mr. Hull: Councilmember, there were individual farmers testifying as well as expert witnesses to these proceedings and did testify to the viability of this area for agricultural purposes.

Councilmember Yukimura: Right, and I am sure...

Mr. Hull: And with all due respect, we can say, "Well my ag people say this and our ag people say this and those ag people say that." At the end of the day, there were expert witnesses testifying before the Land Use Commission that this is a viable piece of agriculture. The department was in no position to look at people that have been farming for generations and tell them, "In our expert opinion, you are wrong. This is not viable agriculture and should not be conserve."

Councilmember Yukimura: But a landowner has other objectives and so I am asking...because I am sure that somebody who is acting in the public interest could have had expert witnesses to the contrary and nobody was speaking up for the public interest.

Mr. Hull: I would object with that assertion to the Planning Department.

Committee Chair Chock: Councilmember Yukimura, if you could just help us...I understand how IAL plan is directed and utilized for the general plan use and update, but can you at least include us in terms of where it is you are going with the line of questioning as it pertains to decisions of IAL. If your intent is to make some amendments or suggestions to the General Plan.

Councilmember Yukimura: I am just trying to understand how the General Plan economy section is structured to achieve a really strong agricultural sector and you start with land and water. Those are the main basic resources of agriculture. Therefore, I am asking about IAL lands because important ag lands are one of the tools and they are a constitutional mandate to protect those lands and to determine which are the most important ag lands from a public standpoint, not a landowner standpoint. The landowner definitely needs to be involved in the determination, but somebody has to be speaking for the public interest and it does not appear that there was a real scrutiny because we really never did from the public's standpoint. We had the power to go before the Land Use Commission and tell the Land Use Commission, "We, as the County, as representatives of the people of the County, feel that these lands are important ag lands." Apparently, we did not do that. We just said, "Developers, you tell us what is important to you. Landowners, you tell us what is important to you, and we are just going to let you do it."

Mr. Hull: Again, the department was not going to object to a landowner putting a relatively large portion of their land in conservation for agricultural purposes.

Councilmember Yukimura: Okay, let us go to 'Ele'ele District and of course the maps are...have you folks given us the new maps with the new lines that are going to be proposed?

Committee Chair Chock: Councilmember, just for clarity for other Councilmembers because we want to make sure that what we are leading towards is the...are you moving towards proposing changes in the IAL plan or as it relates to the General Plan, I think where members are wanting to...there are two (2) questions from other Councilmembers.

Councilmember Yukimura: Okay, I will answer your question. We do not have the power to change IAL if the private landowner has designated a certain percentage of their lands because then the State law says we cannot go in and do it. So, it was the Planning Department's responsibility to really propose to the Council where the important ag land should be and then we were supposed to propose it to the LUC, but that never happened. Instead...are all the IAL lands on this island have been designated basically by landowners.

Committee Chair Chock: I think we got that message in your first example of the region you talked about and I guess your unhappiness with that process. I guess what I am trying to get back towards is how this can apply towards the General Plan outline of the economy section as you would like to see it changed.

Councilmember Yukimura: I am just looking for consistency, which is really important and looking consistency between the stated summary of goals and the projection of high quality ag lands. I am asking how are we doing that. IAL was a tool, but it looks like we have missed the boat.

Mr. Hull: As I previously stated in my opening statement is that indeed the department is in agreement that IAL is a very important strategy, but it is not the only strategy.

Councilmember Yukimura: I understand that, but it is a strategy and it does not look like it has been well used in the strategy, is my opinion. You have your own opinion. We will let the public judge. That is all I needed to know. It is basically a disclosure and understanding of where our IAL lands are and how they were determined, which is very important because they are the basis of our ag sector of the economy and not just for today, but for the future. A lot of these lands are sloping lands and they are not...if you ask an objective agriculturalist like Roy Yamakawa or others, they will tell you, "These are not your prime ag lands." If you look at the growing crops yields, you will see that the yields were the biggest on the *makai* lands. Those who were part of the sugar plantations will tell you that too. That is why A&B's lands in Hanapēpē-'Ele'ele are all along the coast.

Mr. Hull: I will say that those were the most productive cultivation for sugar plantations, but I also made it clear that (inaudible) discussion with agriculture is that much of the way the agricultural classifications are graded, particularly even when you look at soil grades; A, B, C, D, and E—E being the poorest rating, this is based off of the plantation sugar crops. When you look at Hawai'i's biggest export, it actually grows in some of what is classified as the poorest soils. To overlay and say the sugar productivity or the potential sugar productivity of soils is therefore to be overlay over all other types of agriculture, I would take some objection to that statement. Furthermore, in looking at the classifications of the island that has done, where the island was projected to need, under the Department of Urban & Regional Planning (DURP) study twenty-one thousand (21,000) acres of AIL as a projected goal, this island much in the work that Lea and her team has done, has

been able to get thirty-seven thousand (37,000) acres dedicated into important agricultural lands. Now while there may be some objection on where some of these areas is, this is to-date more acreages in the State of Hawai'i has. I just have to say that I am curious where the question is as far as pertaining to the map...I am feeling like we are defending our department's past actions as opposed to discussing specifically where this pertains to the General Plan Land Use Map. I have no problem standing up here and defending the actions of this office to help get thirty-seven thousand (37,000) acres of IAL conserved, but I do not think that is the purpose of this meeting.

Councilmember Yukimura: Well, I think if you use the criteria that Lea developed in the IAL study, you will find that the lands that have been designated are not the prime IAL, but we do not have to pursue this anymore. I think this is enough, Chair.

Committee Chair Chock: Okay.

Councilmember Yukimura: But I do want to understand the IAL in the other districts as well.

Committee Chair Chock: Councilmember Kaneshiro.

Councilmember Kaneshiro: Bringing it back. We cannot do anything about the IAL lands. It is in IAL. I mean if you were thinking about removing IAL lands from ag land because you do not like where it is...I do not think we can do that anyways and then you are removing important ag lands from ag lands anyways. I think if the conversation went towards, "Is there urban sprawl on ag lands that we think is important, but not in IAL lands..." because obviously you cannot urban sprawl on to IAL lands. I would like to see that conversation more than us just harping on things we cannot change.

Councilmember Yukimura: Okay, let me ask. The proposal in 'Ele'ele is sprawling on IAL lands. That is one. So my question is, are these lands...are we restricted from adding any IAL lands in the Waimea District?

Mr. Hull: I do not know what you are referring to when you say we are having sprawl development on IAL lands.

Councilmember Yukimura: We will take care of that when we go to Hanapēpē-'Ele'ele, but in Waimea District, have all the IAL lands...are all the IAL lands on Gay & Robinson lands, is that correct?

Mr. Hull: I believe so.

Councilmember Yukimura: So, are there any other Gay & Robinson lands that could be designated IAL legally?

Mr. Hull: Well, technically any land can be designated IAL if petitioned either by the County or the landowner to go before the LUC.

Councilmember Yukimura: My question is have we reached the limit that is imposed in the State Ag Law?

Mr. Hull: On that particular property owner?

Councilmember Yukimura: Yes.

Mr. Hull: I would have to double check on that.

Councilmember Yukimura: Can you please provide that information?

Ms. Kaiaokamalie: To our last conversation with Dan Orodenker of the Land Use Commission. There is really no specific rules that they have developed relating to being able to go back into a particular landowners holdings. This conversation was sparked by the fact that some landowners hold agricultural lands, not just in one county, but in several different counties, so does designating, for example on Maui, allow them to then ask for concurrent urban designations in another county. We were told at that time, "At this time, no." Whether or not in perpetuity, we are not sure, but there are no rules countered to what we have heard.

Councilmember Yukimura: So that means we could amend the IAL here or we could put in the IAL...I am sorry, we could put in the General Plan update that it would be advisable to protect our prime ag lands to include certain lands in this district as important ag lands then?

Ms. Kaiaokamalie: I just want to point back to a memorandum that was dated March 1st of this year in which the department responded to that specific question. It says, "Those lands that may be locked up by the landowner" and the department's position at that time was that "we are not pursuing those lands that were already designated important agricultural lands at this time."

Councilmember Yukimura: So that means that you would oppose a proposal to put in this General Plan update any additional ag lands where the landowner has already designated IAL.

Mr. Hull: Well, to be honest Councilmember, we want to look at what specific proposals are for any additional or should I say county-initiated IAL designations. There are two (2) tracts and I am sure you are familiar with. One is the landowner can petition for IAL and the second is that the county can petition for IAL. So if there are any proposals to put any property, whether it was a previously dedicated property or not into IAL from the County side, there are very specific legal processes that the department has to follow to get those lands dedicated as IAL. In particular, we have to specifically reach out to consult and cooperate with the landowner for us to initiate their IAL designation. Secondly, each one of those respective or potential landowners is entitled to a contested-case hearing. If there is objections from the landowner at the county initiating it, it is an adversarial approach in which you are entering into litigation with these guys before a quasi-judicial body. All I am saying is the County has to tread carefully on that because should we announce that we are going start putting...say for example, I am not saying we should do this, but for example if we took the study and we took all those lands that score over twenty-eight (28), twenty-eight (28) is kind of the threshold. So let us say we take all those lands that scored over twenty-eight (28) and we should put them on our county land use policy map that the county should initiate designated into IAL, that list had hundreds of property owners. That, essentially, I am not saying was bad. That is technically good land use planning to put it all up front and see where it all is, but the reality of trying to implement that would essentially mean hundreds of

contested-case hearings to which we are a party to. Quite honestly, I know my department's resources could not handle that and I would particularly look at Mauna Kea's Office because they would be representing us in each one of those contested-case hearings. I am not saying it is bad. The department would agree in theory with that, but there are ramifications with actually trying to implement it.

Committee Chair Chock: Councilmember, there is a follow-up on this specific question.

Councilmember Yukimura: I would like to finish this question. My question was whether you would oppose it and you are saying not necessarily it is case-by-case, right? But otherwise, it is basically a land use plan by developer rather than a land use plan by county and the importance of the large ag land holdings are what you point out, that the fragmented ones are very difficult and that is why they are still intact and in fact that is in the State ag land. The large parcels are very important because that is where the preservation can come, but it looks like we have not asserted that. Thank you.

Committee Chair Chock: Follow-up, Council Chair.

Council Chair Rapozo: There are probably a lot of people that might be watching this and maybe some of the newer Councilmembers who do not really understand IAL, but there was an opportunity for this County to designate IAL, right?

Mr. Hull: There still is.

Council Chair Rapozo: I mean back then. We had an opportunity...the landowner also had the opportunity to designate their own...

Mr. Hull: Correct.

Council Chair Rapozo: ...and meet that requirement.

Mr. Hull: Correct.

Council Chair Rapozo: Many of the landowners did. Just so that I understand and the public understands, this goes through a process. Although the application may have been completed by the landowner, obviously you had to prove the requirements on the State law for that land to be IAL.

Mr. Hull: Correct.

Council Chair Rapozo: Important Ag Lands. Again, I think I am kind of with...this is done. This is the hand that we have been dealt and now what do we do. If the landowner or whatever landowner has reached their legal requirement for IAL, I mean I think this question like I told Committee Chair Chock, it is probably for Mauna Kea more than you, but at that point it is almost like a taking that we would have to go into court for. I understand what Councilmember Yukimura is saying, but we had an opportunity at one time to go out and designate the lands and in fact the other islands are right now asking for State money to do that. The landowner had that same opportunity to do it and on Kaua'i, they did it. They went and did it a head of time. I do not know how much more we can do. I guess the real

question is, is Planning even considering moving forward on designating additional lands IAL.

Mr. Hull: The Planning Department definitely is considering looking at the study on what we completed to designate more lands to the County in the shaded process, but it does take consultation with various landowners; large landowners and small landowners, because there are an array of landowners on that list. It takes discussion and consultation with them and then ultimately strategizing with our Attorney's Office with what we think we could successfully dedicate into the IAL program.

Committee Chair Chock: That might be a direct application to the General Plan if I was able to look at it. Based on some of the concerns that Councilmember Yukimura has voiced here inclusion and process, is there anything that can be done that we have learned from in the plans or appropriation of IAL and might be able to apply with its continuums of the program.

Mr. Hull: I will say to that that there is an actionable within the agricultural sector to pursue additional IAL designations. We are being a bit careful not to incorporate it into the land use map and I understand Councilmember Yukimura's concern with why we are not doing that. I agree with the big picture of why in planning you should do that, but when it comes to the reality of how it can actually be implemented, there are concerns.

Councilmember Kaneshiro: I think page 166 permitting actions and code changes, number 7, addresses that exact issue. It says, "use IAL maps and tools when reviewing landowner or farmer initiated petitions for the designation of IAL or for evaluating priority lands for IAL designation proposed by the State or County." I think answers.

Committee Chair Chock: Thank you. Councilmember Yukimura.

Councilmember Yukimura: Well when we have this discussion with the Planning Director, he said the only place he was going to pursue was Princeville lands, which is...

Mr. Hull: No. I would correct the statement. He said that the first pursuit is the next largest landowner that has not gone through that process to try and extract some IAL from them, but that would be the first attempt, but not the only attempt.

Councilmember Yukimura: Well, I mean, you know the first plantation to go out of business was Kilauea and you find that on all islands. The northern lands are not the most productive. It is really the west and southern lands on the islands that are. If we are concerned about protecting the resources, that is where we would look and that south...that is all from Lihue to west side. Yes, the landowners had a chance, but we also had a chance to go forward and we did not. We just said, "Come on landowners, you do it." If you can trust landowners to do what is in the public interest, then you do not even have to have any public land use zoning. You just let them do whatever they want to do.

Committee Chair Chock: Question or was that just a statement?

Councilmember Yukimura: Councilmember Kaneshiro did not have a question, but I appreciated his input. Let us go to 'Ele'ele. So the lands that are designated, I guess if we can put page 225 on the screen. It is the island-wide map. Thank you. Maybe I could use the pointer, if we have it. You can see down in Hanapēpē-'Ele'ele, Halewili Road. This is what we are talking about. These are the important ag lands, correct? Right here, am I correct? It is this striping, right, just like up here. Okay. Now, this is the provisional ag, right here and here. Am I correct? Which is the lands proposed for urbanization, but not finally...I mean not permanently in this map.

Mr. Hull: No. I would not say that those are lands proposed for urbanization.

Councilmember Yukimura: Well, why are they colored provisional ag?

Mr. Hull: That specifically was created for the West Kua'i Community Plan update for the community to discuss what type of land use designation they would want. It is called provisional ag because they could for all intents and purposes decide to keep it in agriculture.

Councilmember Yukimura: Well they could decide to keep it in ag if you just left it zone colored as important ag lands.

Mr. Hull: Yes. It could be changed, Councilmember. I was just saying I would not characterize that land as to be updated to urban.

Councilmember Yukimura: How would you characterize it?

Mr. Hull: As the way it is characterized as provisional agriculture.

Committee Chair Chock: Councilmember, we had this question on the land use map as well about provisional ag, so I do not want to go back there.

Councilmember Yukimura: Okay. So these lands are important ag lands right now?

Mr. Hull: I do not believe so, no.

Councilmember Yukimura: They are not important ag lands?

Mr. Hull: No, they should not be.

Councilmember Yukimura: What are they zoned then, just ag?

Mr. Hull: Regular agricultural.

Council Chair Rapozo: Real quick. I have to ask this because otherwise some will be confused going forth. There cannot be any certified IALs or whatever it is called...they cannot be marked another thing.

Mr. Hull: The only way that once it is categorized as important ag lands, the only way it can be upgraded to say urban is if there is a two-

thirds vote in both the State House of Representatives and State Senate to remove it to IAL.

Council Chair Rapozo: Right and I am not even talking about a change. I am just saying that you folks made these maps so I am just asking you. When I see a provisional ag, I know that it is not IAL.

Mr. Hull: It cannot be over IAL.

Council Chair Rapozo: I do not have to ask you every time I see, you know, right. I just want to make sure that I understand these maps because that is a big problem if I have to guess and if I see IAL, it is IAL on it and it is...

Mr. Hull: Separate.

Council Chair Rapozo: I see.

Councilmember Yukimura: And so that is probably why A&B did not propose it for IAL, even though it is like the same quality of soil as these, because they wanted to have it for development. That is the power of IAL and they did not want the power of IAL on their lands and we did not do an independent determination of whether those were good important ag lands, because when A&B went before the Land Use Commission, we said, "No objections."

Mr. Hull: That is why I would not characterize A&B and the Kaua'i Coffee area as not utilizing the importance of IAL. They dedicated several thousand acres into IAL, so I have to say again...

Councilmember Yukimura: Well, is this Kaua'i Coffee right here, do they not have Kaua'i coffee trees that they are growing right now?

Mr. Hull: Yes.

Councilmember Yukimura: Okay. But they did not include that in the other Kaua'i Coffee lands, which are designated IAL.

Mr. Hull: And again I will say we were not in the place to object to them dedicating several thousand acres of currently farmed lands into IAL. While they did not dedicate it all, I would not characterize it as them not submitting to the IAL process.

Councilmember Yukimura: No, you could have certainly affirmed their designations and said that more were needed or more were logical because they are adjacent to and also used for coffee—you could have said a lot of things, but okay. That is my question and I would like to open it up for others and then I will come back.

Committee Chair Chock: Councilmember Kawakami.

Councilmember Kawakami: Because this is an exercise and how we ended up here with this agricultural land designated as important and there seems to be some conflict as to what the right approach was, but did we not from the very beginning decide as a community that we wanted private landowners to be proactive and designate their own agricultural lands as important. In fact, we created

incentives for them to take the right step to designate important ag lands on their own and in fact, Act 183, we formed what we called "the forum." The infamous forum that consist of farmers and landowners, forty-three percent (43%) of them, government was thirty-six percent (36%), County government was fourteen percent (14%), and agriculture research, education, and technical service providers were seven percent (7%). We had Department of Taxation at the table, we had University of Hawai'i College of Tropical Agricultural and Human Resources at the table, we had the Department of Business, Economic Development and Tourism at the table, we had the Office of Planning, Hawai'i Agriculture Research Center, and we decided as a group that we were going to create incentives such as tax incentives, we were going to create incentives like farm worker housing and to allow farm worker housing, and even to allow for fifteen percent (15%) of the IAL to be designated as urban. So, now we chastise the private landowners for something that we asked them to do. That is the reality and whether you agree with it or not, it was the organization, it was state and county government, it was the shareholders, and it was the forum that went through the process that asked landowners based on the state constitution, based on this Act, to say, "We want you folks to be proactive. We do not want to force you. We want you folks to participate and in fact, we will create these incentives for you to go designate your own IAL lands." Is that not why we are here today? We wanted them to do this.

Mr. Hull: I would definitely agree with that statement.

Councilmember Kawakami: Thank you, Committee Chair Chock.

Committee Chair Chock: Okay. I am not going to entertain the discussion on IAL any longer. It does not bring us back to the General Plan as it pertains to...and I am happy that we had because it started out, but I do not want to continue it unless it is going to be productive in a sense that it is going to get us to how it does relate to some decisions that need to be made on the General Plan. So, again, I appreciate the conversation that has occurred up to now, I just do not want it to go too far in a direction without...if it is not going to lead us back to this plan here. Okay? In agreement? With that, because we are on agriculture and moved in that direction based on the economy, I would like to stay on agriculture, if possible. Are there any further questions on agriculture as it relates to the General Plan presentation? Is that all that needed to be said?

Councilmember Kawakami: I have a quick question.

Committee Chair Chock: Yes, please.

Councilmember Kawakami: Have any of these landowners been utilizing these incentives that we provided for them? Have they been designating fifteen percent (15%) of their lands for urban use? Have they been taking the farm worker housing incentives that we have been providing?

Mr. Hull: There has been no proposals at this point for the fifteen percent (15%) urbanization. We have been in discussion with some landowners about the farm worker housing option though.

Councilmember Kawakami: Okay, thank you.

Committee Chair Chock: Further questions on agriculture?
Councilmember Yukimura.

Councilmember Yukimura: It says that ag water is important...

Councilmember Kaneshiro: Page 163, maybe?

Councilmember Yukimura: No.

Councilmember Kaneshiro: Okay.

Councilmember Yukimura: I want to come back to protecting ag land. So, on page 156, it says...and it does have IAL, but I want to go to the next bullet. The County and State can protect the capacity of ag production through the designation of important ag lands," and I just want to point out there is a public process and I helped draft that IAL State Law, except that it got extremely distorted after this forum sent it to the legislature. Urban edge boundary in Līhu'e Planning District, density control changes to development standards, that on the bottom here of the page. Protecting ag lands for agriculture protection in food self-sufficiency, the County can protect the capacity and relevant land use ma changes include IAL designations and urban edge boundaries in the Līhu'e Planning District. I know we talked about doing that for all our towns as a way to implement your compact town concept. I just want to know what the difference is between an urban edge boundary and an urban growth boundary.

Ms. Williams: They really are one in the same and I do believe the urban edge boundary is consistent with what we use in the Līhu'e Community Plan, but essentially it is the same thing. It is a line that really indicates how we intend to limit sprawl unto our agricultural lands and as you said, support this idea that we focus our future residential growth within our towns or at least those areas directly adjacent to our town centers.

Councilmember Yukimura: Okay, so the way I understand the concept is that it is a...say a twenty-year, it has a certain timeframe and it says that it will contain all the growth that is needed for that town. That is how I understood Oregon's urban growth boundaries. They had to provide some room for growth and they could not make it a no-growth boundary.

Ms. Williams: Yes, and I guess from a high-level policy standpoint like in the General Plan with our future land use map, it is definitely, yes, essentially we are trying to focus future growth within that line. I know that the Līhu'e Community Plan, through their process, did create one for this planning district and there is a chance for future community plans to look at using that as a tool also, but of course, we would have to go through a much more detailed public process to really identify and determine where that line should be—given that, yes, the line most likely would stay with the planning horizon of the plan.

Councilmember Yukimura: So the trick seems to be that you ask how much growth should be in each town.

Ms. Williams: Yes, well what we did for the Līhu'e and South Kaula'i Community Plans is we really did rely on that SMS technical report that we launched in 2012 for the purposes of prepping for the General Plan update. So first

what you do of course is forecast population growth, households, and then housing units as well. What our consultant did and we actually asked them to do this for us because we felt it was important to have an independent expert look at this, is using historical trends and also factoring our existing General Plan's policy to really focus growth in the Līhu'e district, allocate that growth to our six (6) planning districts. From there, we did test it, like when we initiated the community planning process. Of course what the first thing we do is go out with the forecast, like what we are expecting what the trends are and generally I will say that the communities in both areas did seem to accept that amount of population growth. We will probably do something similar for our other community plan areas as well. It is true that a community might say, "Oh, you are only allocating our district this amount of population growth. We want less. We want more." I think that would be a question to be answered when we hit that point. I also would like to acknowledge that population forecast that trends, they change and every year we get new information. The 2020 census, when that occurs and when we get the results of that, basically what this take does is they recalibrate all their estimates that they have done previously over the past ten (10) years as well. It is not a fixed and firm figure that we are working with when we allocate population, but we do need to acknowledge that things are changing and we need new and fresh information every time we start a planning process.

Councilmember Yukimura: Thank you.

Committee Chair Chock: I have a question just in terms of supporting agriculture. I do see "reestablish the agriculture specialist position in OED." There are a lot of projects, programs, and just a lot of things that we want for ag and say for instance in the development of the IAL program and I am just curious if that is enough of a plan. If we establish that position...I think it is so much for one (1) person to take on and I just was wondering if we vetted that with the Office of Economic Development. I see George here. I want to be realistic about how we can support this industry and what the needs are based on what it is you folks have identified as need. Do you have any response on that?

Mr. Hull: Aside from just that one (1) position or the one (1) actionable, there are other actionable that provide economic development programs for the support of agriculture, support of the Sunshine Markets, establishing...we are talking about IAL, but increasing further incentives for small land farmers. Yes, these are big platforms, they are not specific strategies and so that is where we are trying to...with the input of the community, as well as discussions with the ag folks, having these platforms in there allow agencies, like the State Agency for Agriculture, as well as OED, to launch a series of platforms that are more specifically geared under these umbrellas. If you want to go into potential specific examples, it is exactly what George and Nalani have volunteered to come here to discuss.

Committee Chair Chock: Yes, again for me it is about manpower. I understand agriculture is more of a State function, but we are still a big part of where we need to connect to on a local-level. I am curious and skeptical if even one more person is going to make a difference for where we need to get to. I am happy to hear from them if they have an answer for it, as it relates to a need that we might need to input into the General Plan.

GEORGE K. COSTA, Director of Economic Development: *Aloha*, for the record, George Costa, Director for the Office of Economic Development. To answer your question, yes, we could use more manpower. Right now, because of budget reductions over the last three (3) years, I believe it was, when Bill Splitz retired. The mandate was we are not going to add any more staff. We are going to maintain hopefully the same level of service with the staff that we had, so basically, I am it, as far as agriculture. We have got a bevy of projects going on that cover a lot of the areas in agriculture, land, water, education, marketing, but definitely it is a lot for one (1) person to do.

Committee Chair Chock: I guess my question is, George, what do you need? Is it time and money to establish or strengthen your task force that you are already overseeing? Is it an establishment of another position? What is this forecast that we need to be looking at, because we have lots of (inaudible) and code changes. We have plans and studies, and projects and programs that really to a large degree will fall into your lap.

Mr. Costa: Right, and at minimum, at least one (1) full-time body to replace the agriculture specialist that we did have. Besides tourism, it is the second most industry cluster initiatives that we have been working on and I know Nalani has been able to assist me as well. Do you want to say a few things with regards to that?

NALANI BRUN, Specialist IV-Tourism: The way Economic Development works, as you all know, is we basically have one body per sector and of course we would love to have lots of bodies, but we can do it and the reason we can do it is because we are partnership-oriented. We try to figure out what is going on, what is the best route for the County to get involved in projects, and then we seek out partners. That is the only way we can do it. One body alone would make a huge difference for us because we would have one body concentrating on that sector. If anything, that is actually a really fantastic recommendation coming out of the plan.

Committee Chair Chock: Good. Thank you for clarifying. Council Chair.

Council Chair Rapozo: Thank you, Nalani. That position was there, right, the person retired.

Ms. Brun: Yes.

Council Chair Rapozo: The Council did not cut that position.

Ms. Brun: No.

Council Chair Rapozo: Right?

Ms. Brun: No, they did not.

Council Chair Rapozo: In fact, we kind of encouraged the Administration to keep that position because we felt that agriculture was a priority. I guess my question is and it is probably for the Administration...we do not have to wait for the General Plan for that.

Ms. Brun: No, and truly we are actively...the trick often as we always say is not just to get people on the bus, but get the right person in the right seat. That is prime for getting that particular body because it is the most difficult thing to work in Economic Development because you have to be able to work with government and you have to be able to work with many different agricultural factions—we all know how that is. They will need to be able to stand in the middle and help everybody and not pick sides and they have to have a huge data background. It is just such a particular piece that we have to fill and to be honest, we have been looking. If we could find somebody, I think we could convince people...

Council Chair Rapozo: I do not recall seeing that in the...

Ms. Brun: Not that way looking. We have just been looking around with everybody that we know who can sit on this fence with us and do it.

Mr. Costa: Yes, we have not gone out.

Council Chair Rapozo: That is how you look though. I understand, but your group knows “x” amount of people, but unless you put that out to the world, it is very difficult.

Ms. Brun: Yes, that is true and it may come to that.

Council Chair Rapozo: The point I am trying to make is as I look through this General Plan, there are a lot of things that suggest plans, action plans, and action steps, but this General Plan once adopted does not come with money. It is just a plan. So a lot of these things that are being proposed as action items can be done today. We do not need the General Plan to be passed for those things to happen and so I understand that there are a lot of them, that is one of them, but there are a lot in here that talks about things that we need to do, but we do not need the General Plan for that. That is stuff that we should be doing right now and that position is obviously one of them.

Ms. Brun: Yes, yes. There are many recommendations that are in there that are already underway and we are moving toward.

Council Chair Rapozo: Thank you.

Councilmember Kaneshiro: Being the Devil’s advocate and the Budget & Finance Committee Chair, I guess, I will give you folks fair warning that if there is going to be a position for an ag person, we want to see where our bang-for-the-buck is. We want to know what is the person going to do; what type of ag opportunities is the person going to provide; for an entire year’s work, what is that person going to produce. I think it is a fair question. If an additional body came on, I would ask that question, so just be fairly warned. We give out a lot of grants and all we do is just partner with the people, give them grants, and let them do a project. If we have an ag person there that we are paying full salary to, benefits, and everything, how much more are we going to get out of that position.

Ms. Brun: Okay.

Committee Chair Chock: Thank you. Any further questions in agriculture? Councilmember Yukimura.

Councilmember Yukimura: George, the trip we did to look at ag lands with KEDB.

Mr. Costa: Right.

Councilmember Yukimura: There were a lot of talk about a master ag plan and I believe is that something that your office is working on or wants to see happen? Just because as we all know, if you want to make something happen, it takes a lot of...there is no one (1) silver bullet, so you have to put a lot of things in place all at once for something to happen and an ag plan would do that. Is that something that you are working on or you would like to have included in the update?

Mr. Costa: Actually that is something that we did have in last year's budget and it is still on the books for Kaua'i Economic Development Board, an ag economic development plan. They have not been able to get to that plan yet and they have been working on the Food Production Center and the Kaua'i Creative Technology Center, but it is something that needs to be done.

Councilmember Yukimura: Certainly, within the twenty-year timespan of this plan, right?

Mr. Costa: Absolutely, yes.

Councilmember Yukimura: Marie and Lea, can we add that? What are you calling it, George?

Mr. Costa: Kaua'i Agricultural Economic Development Plan. Basically, the County did one in 1983 and I used the basic outline of that 1983 plan. A lot of the information and concerns and initiatives back in 1983 are still relevant today although we need to update and that was the impetus of wanting to come up with that renewed Agricultural Economic Development Plan.

Councilmember Yukimura: Thank you very much.

Committee Chair Chock: Further questions on agriculture?

Councilmember Yukimura: On page 166, it is in the category of plans and studies. Monitor and report, number 4. Monitor and report on Kaua'i's ag activity to understand local food production, trends, and water source issues, could maybe Planning explain what this means. Could it possibly be tied into indicators that we are looking in terms of economic development progress in agriculture?

Ms. Williams: Yes. A resource that we found really useful during this process was the Statewide Agricultural Land Use Baseline Study conducted by...

Councilmember Yukimura: Jeff Melrose.

Ms. Williams: Yes, Jeff. He actually came and presented to us, as well as part of our General Plan CAC process, and what we realized is that

there is a lot that we do not know or do not have on a data source that we have on a regular basis to understand what is happening with agricultural activity from the large farms to our very small diversified farms. To have a better knowledge base of that I think would assist us in understanding how we can help our agricultural industry and help that industry grow.

Councilmember Yukimura: So, are you saying here to create an ag database of key information that would enable us to monitor, because you said there are a lot of gaps. We do not have that data system actually in place, right, so would it be important to create that data system so that we can monitor our agricultural progress and growth?

Ms. Williams: Yes. I do not know what that would look like, but you are right, that would be the first step in having some type of system set up if we were to monitor and report on this. Perhaps George can...he is more of an expert on this.

Mr. Costa: If I could just add, we just started the next generation sector partnership. It is a new way of convening and facilitating. We did our launch at Kaua'i Community College (KCC) on September 26th, basically instead of government and other support organizations, telling the industry what is good for them. It is basically convening the industry and having them let us know what they need and so we met as I mentioned on September 26th and sixty-three (63) people attended, out of one hundred fifty (150) invitees. Since that time, we convened several committees from that and one of the initiatives that the group formed was a marketing and information database committee. Right now the idea is to take the program that we already have, the Kaua'i Grown Program, and putting a lot more emphasis into that program, not only from a marketing standpoint, but collecting data and information from various farmers, ranchers, value-added companies, and how we can network with wholesalers, retailer, chefs, and so forth.

Councilmember Yukimura: I appreciate that, but I think we are also thinking about data from a planning standpoint. I think it is great that is happening, but I also think and I am sorry I never read through Jeff's total report, but in terms of lands, in terms of water, in terms of access, in terms of transportation, in terms of whatever...and it could be tied to the ag master plan. Can you develop some wording?

Ms. Williams: Yes.

Councilmember Yukimura: Okay, thank you.

Committee Chair Chock: I want to get to a caption break, actually, in about five (5) minutes. I have one more question, but does anyone else have questions? Let me get mine out of the way, take a break, and come back to you, Councilmember Yukimura. Number 8, (inaudible) and code changes. It talks about revised agricultural property tax regime and it talks about the ag dedication program. I want to get more insight on what it is you are referring to or wanting to focus on.

Councilmember Yukimura: What number is it?

Committee Chair Chock: Page 166, number 8.

Ms. Kaiaokamalie: For this particular recommendation, I believe that it was in relation to looking at the important agricultural lands incentive, itself. Specifically, there was some input from people in the industry and even back when we were doing the IAL study itself, to look at perhaps, not overhauling, but integrating somehow the important agricultural lands incentives with the ag dedication program and how that would look like. I was very lucky to speak with Jeff Melrose at-length about the work and the study that he has been doing Statewide and I think this is the part where we are always kind of scratching our head on is that the County role comes down to really tax incentives. There are programs and other things that OED definitely does, but at the end of the day, that is kind of where we definitely can really incentivize on trying to help the landowners or farmers that lease from them. This is definitely a lot more generalized than the conversations we had, just because we did not want to just limit it to IAL itself, but to really look at that program and see what else we can do with it in order to incentivize agriculture.

Committee Chair Chock: Okay. Thank you. Actually, I am not going to take the caption break because it says here we got to 3:50 p.m., so I think we can go pretty far. I need to run out for just a minute, Committee Vice Chair, can you take over for just a minute. I will be right back.

Committee Chair Chock, the presiding officer, relinquished Chairmanship to Committee Vice Chair Yukimura.

(Committee Chair Chock was noted as not present.)

Councilmember Yukimura: Councilmember Kaneshiro, you looked like you wanted to ask a question.

Councilmember Kaneshiro: No, I am good.

Councilmember Yukimura: Okay. Anybody else? So, actually I have one on page 167 and it is really related to the Chair's previous question. Number 10, on page 167, says, under partnership needs, "Clarify the reclassification incentive provided through the designation of important ag lands," what exactly does that mean?

Ms. Kaiaokamalie: This was a recommendation that was included in the important agricultural land study. We have had some clarification about, but what we are concerned about is that when a landowner does come to petition for a designation of important agricultural lands, does the reclassification of a portion of their lands to another land use...I mean I do not want to just say urban, it could be something else. What is the time limitations on that? What are the rules? We were at least told that a petition would have to come concurrently, so if for example a landowner wanted to designate important agricultural lands and they wanted to take a portion of those lands and possibly also get an amendment to urban that that would ideally need to come at the same time and not basically hold that incentive--basically bank that incentive for the future. The land use commission or at least Dan Orodener has discussed with us that the preference would be for the landowner to be straight up with what their intention would be to utilize that reclassification incentive versus just having it kind of dangle as an incentive because they have designated and not know necessarily what their intention is.

Councilmember Yukimura: If just sounds like bad policy to me to even allow urbanization as a condition of important ag lands. That makes no sense at all.

Ms. Kaiaokamalie: That being said, at this point the petitions if they were to be interested in that reclassification, it would have to be, as far as I know, you would have to check with Mauna Kea. It would have to be at the same time as the important agricultural lands petition.

Councilmember Yukimura: Is that by rule now of the Land Use Commission or an interpretation of the law? What is the basis for that?

Ms. Kaiaokamalie: We would have to check. I had thought it was a rule, but I want to be sure about it before it say.

Councilmember Yukimura: Can you find out and let us know?

Ms. Kaiaokamalie: Yes.

Councilmember Yukimura: If we do not feel that a policy or law is correct in terms of protecting a public interest, we should go in and change it. I come from an era when the four (4) Planning Directors would be seen at the legislature a lot, Brian Nishimoto, Mr. Ishikawa...who was on the Big Island, and they would come in and assert the Planners' need for good laws. I really do not agree with the idea of just playing dead and saying, "Okay, the State has said this and so we have to do it," if it is not good policy. So, coming back to number 8, which says, "Revise the ag property tax regime, including, but not limited to ag dedication program, to increase incentives to lease land for productive farms." Right now, our ag law really gives huge tax break for anything that is dedicated to ag right? So, we do not need the incentive, but I guess the concern underlying this is that those lands are laying fallow, even though they have an ag dedication status, which gives them really low property taxes. Is that the issue here?

Ms. Williams: Yes, that was a concern we heard and it comes back to the question of how do you define ag and how, in fact, can you make sure people are not taking advantage of the fact that they might be part of the agricultural dedication program and how can we really incentivize working farms where people are producing. Yes, that was something we did hear throughout the process, but as to the details of how we could try to better prevent that from happening, we do not have that right now.

Councilmember Yukimura: Okay. Thank you. Any other questions on agriculture? Oh, yes, I have one on your water and it comes on page 166, under plans and studies. It says, "Update and implement the water inventory and management plan." I want to know what are you referring to? Is this the water use and development plan that the Water Department is doing?

Ms. Williams: Yes, we did catch that and we apologize, but it is referring to the agricultural water use and development plan that is quite old. I believe it was done in 2002. It is quite old, but what it was, it was a Statewide plan and kind of a first attempt to really do an inventory of all our ditch systems across, not just Kaua'i, but all the Counties. It did an inventory and actually a management plan, a five (5) year action plan to make sure that these ditch systems were protected. My understanding is that the plan is due for an update and another hard look at how

we can really preserve and protect all of our important agricultural ditch and irrigation systems.

Councilmember Yukimura: Okay.

Ms. Williams: I do not think it is something done by the Water Department.

Councilmember Yukimura: And yet I think the mandate to the Water Department from the State Water Commission is to do a comprehensive water use and development plan that takes into account surface water, groundwater, and potable water systems. It maybe in their mandate already to do that, I just wanted to make sure we are coordinated somehow. Can you give us the name of...and this was just done for...the study that you are referring to is quite outdated now, that was done for Kaua'i.

Ms. Williams: For the State and Kaua'i, I think they have three (3) or four (4) of our major ditch systems.

Councilmember Yukimura: Okay, so it is a State plan and has a Kaua'i component?

Ms. Williams: Yes.

Councilmember Yukimura: And you are saying update and implement that management plan, I guess I would check with the Water Department if that is not already part of their mandate under the Water Use and Development Plan because if it is, then there is actually money to do it.

Ms. Williams: Okay.

Councilmember Yukimura: Because they are already doing it. So that would be good. Okay, Chair.

(Committee Chair Chock was noted as present.)

Councilmember Yukimura returned Chairmanship duties to Committee Chair Chock.

Committee Chair Chock: Councilmember Kawakami.

Councilmember Kawakami: When we went through the IAL process and this kind of ties back to IAL and then diversified economy, but did we ever loop back and see what kind of measurable outcomes we had such as, if there were jobs created on lands that were designated on IAL; the number of IAL acres that are in production currently; how much acres are available for lease right now to smaller farmers; and then if there are any process and facilities? That is one part of the question whether we ever looped back on some of the measurables and see what kind of incentives were actually taken by landowners that designated IAL. I kind of want to go back to the urban designation, that fifteen percent (15%) because there could be some positives. If it was tied to agriculture and say you wanted to urbanize and then we wanted to create farm worker housing that were clustered instead of sprawl, and then you talk to farmers out there, what is one of the biggest hurdles is, "Eh, we can farm, but we

have no packaging, processing, storage, refrigeration facilities, marketing facilities,” so these are all actual potential pros or urbanizing a small designation of the IAL lands. It is not all negative. I think when we strikeout and say, “We can put a hotel or we are going to build these million-dollar mansion estates,” then of course, nobody wants that, but as a landowner, if they are serious about ag and we provide incentives for them, that fifteen percent (15%) urban designation should be something that they should seriously take into consideration because there is revenue to be made, if they were to take that approach. The other part is, back in the day, they created these incentives and the County was supposed to come in with additional incentives layered upon that and has the County since then provided any incentives for these IAL lands since then? So, kind of a real out there question—one, have we reached back to take a look at measurables? And then has there been a designation to say that hey, there is this urban designation and here is some of the potential things that we would like for you to embark on and address some of the needs that are identified in the CEDS.

Ms. Kaiaokamalie: In answer to your first question about the loopback, that is a great idea. We have not looked at that. We only have ever gone through the process, so it would be good to look at that. The second is whether or not the landowners have taken advantage of any of the incentives. On the State side, yes, State taxes to the Department of Agriculture. In fact, they had reminded us of that at the last petition hearing, I believe. Otherwise, I am not familiar. No one has tried to initiate the concurrent designation process or some of the other incentives on there. In regard to that particular issue of the opportunity to designate to another land use, say urban, for example. The discussion was not necessarily around private lands, but public lands, and for those lands for example that are farming right now or have production on them, it kind of tied in with the conversation the communities been having about “where are these small little industrial areas or incubator areas that we can use in order to process to clean to cold storage. Where are these places in order for agriculture to work on the larger level?” It is missing some of its support systems in the other sectors for distribution and such, I do not know if Mr. Hull wants to add to that, but that is far as I can recall has been the conversation.

Councilmember Kawakami: Those are all smart growth principles now, where you can live, work, and play.

Ms. Kaiaokamalie: Yes. So, not necessarily in private that I have been a part of, but definitely in regard to the public or the State lands, yes.

Councilmember Kawakami: Yes, because we also identified that one of the roadblocks for ag is the ability for them to provide living wages. It is hard. Just based on 2007 data, we took a look at the food and ag cluster and so 2007 wages, it has changed since then, but back then ag production, you can make about thirty-nine thousand dollars (\$39,000); food manufacturing was twenty-two thousand dollars (\$22,000); ag wholesale was about thirty-one thousand dollars (\$31,000); farm and garden suppliers were thirty-one thousand dollars (\$31,000); grocery food stores were twenty-one thousand dollars (\$21,000); food services and restaurants eighteen thousand dollars (\$18,000). That leaves you with this need for housing and so there is a big possibility right there.

Mr. Hull: Yes, I am in complete agreement, Councilmember. Also to add to your last question as far as whether or not the County has done any initiations for the incentivization of the IAL. I can say there has not been any discussions specifically on incentives, but the Planning Department about

two years ago, began a comprehensive overhaul, the Comprehensive Zoning Ordinance (CZO), in which we were looking at all zoning districts and looking at amending various sectors that have needed improvement. One of the things that we did recognize in that process is the need to possibly bifurcate our agricultural lands between those that are zoned County-ag and those that have IAL designation and those that do not. Yes, we did have that in our proposal. It is part of the public record, but at that time as the General Plan update began to come to fruition, that we could really possibly be doing a GP update, we decided to put the CZO update on hold until the long-range policy document is adopted, because there may be initiatives in this document that if ultimately adopted by this body will direct us to make other changes in the zoning ordinance. That process has begun, but it has been put on hold to first wait for the GP process.

Councilmember Kawakami: Yes, we can hope that these incentives trickle-down to the people that we actually intended for, because we can have all the important agricultural lands, all the important agricultural infrastructure, but if we do not have the important agricultural farmers, the important agricultural workers, we are stuck. Then we got to have the frank discussion with the public at-large as to the sincerity of preserving ag or do you just want to preserve open space.

Mr. Hull: Correct.

Councilmember Kawakami: They are two (2) different things now. We get calls from small local mom and pop farmers that have been farming for generations that run into roadblocks from people saying, "Hey, we do not like you folks farming and creating dust in our neighborhoods." So it is a real discussion that needs to be had, the sincerity of really preserving ag and that is where we fall into this tug-of-war. The focus has been on large ag. While the focus has been on large ag and their impacts, if people do not think it trickles down to the small mom and pop, third, fourth, generation farmer, we are mistaken. Those are the folks that are falling through the cracks that are often times getting beaten up and so we have to move forward on finding some kind of way to create incentives because we are falling into this rut where these farmers are getting old and the next generation—whether or not they want to take the torch and carry it.

Mr. Hull: Yes, and that is a good point to make, Councilmember, and the discussion of IAL. There are many misconstrued IAL throughout much of the process that once IAL is adopted, the farmers are going to come out of the mountains, as if they are hiding. The IAL process is a mapping process. It is a conservation process. An important process nonetheless, but it does nothing to incentivize farming activities and get people to farm. The biggest issue is not so much at the point that we do not have ag lands, IAL ensures that we have ag lands in our future growth, but it is to figure out a way in which to incentivize and get farming as a solid, professional industry back on the ground.

Councilmember Kawakami: Thank you.

Committee Chair Chock: In terms of the fifteen percent (15%) development, why has it not worked?

Mr. Hull: The fifteen percent (15%) urban? I think both Councilmembers Yukimura and Kawakami touched on key parts of the potential of fifteen percent (15%), and I am in complete agreement with Councilmember

Yukimura has stated in that if they went for that fifteen percent (15%), it is dangerous. It is. They are the potential for spot zoning. It could be countered to the long-range policies that we look at in Marie and Lea's department and ultimately adopted here because it could very well lend itself to spot zoning and putting residential or commercial uses in an area that this island had never prepared for.

Committee Chair Chock: Got it.

Mr. Hull: Simultaneously what Councilmember Kawakami points out is that there are specific uses that the farming industry needs that are quite frankly not outright permitted on agricultural lands. A commercial slaughterhouse needs to go through first a use permit process among other things to determine capability with its neighbors. If its neighbors feel that there is going to be say a compatibility issues, it could be preventative in being constructed and operated and by having the potential for that fifteen percent (15%) or less within there to put those type of uses that are necessary to a thriving farming community, it is important. I think to a certain degree, the department has had sigh of relief every time we got a petition and those landowners did not go after the fifteen percent (15%), but I think if they ever did it would ultimately...while they would get the urban at the LUC, they ultimately have to come to this body for the actual zoning. The zoning would still remain ag even though there is...for a County zoning ag, you would have the LUC or urban overlay, so they would still have to come back to this body and it would be a very narrow rope to walk to ensure that those more urban uses are in fact comporting with the agricultural principles and comport with our long-range plans and perhaps as Councilmember Kawakami was alluding to, are in fact, supportive of a thriving agricultural community.

Committee Chair Chock: Councilmember Kawakami.

Councilmember Kawakami: Because if we really want to create twenty-first century jobs and move ag to twenty-first century, we are going to need that urbanization if we want to move in the direction of agricultural tech parks, which are being created. That is the next direction. They are actually moving towards technology and manufacturing. Thank you.

Councilmember Yukimura: For things that are really essential like packing plants or cooling plants, those are uses that are allowed on ag land either outright permitted or with a special use permit. A slaughterhouse is not going to need urban zoning and we all want farm worker housing, but we want it to be really for farm workers, because you start putting in the residential component without the connection to farm, then you are going to have these urban dwellers saying, "I do not want the dust. I do not want the noise from the pumps." Mixed-use is usually a thing for urban areas in smart growth and one of the key things is conflicting uses between ag uses and other uses and how that often kills off ag in the long run. You have to do that really carefully.

Mr. Hull: Yes, and I agree with some of the sentiment and to the point of indeed slaughterhouses or the like of processing plants are allowed via use permit, at the same time, they are discretionary. They are discretionary upon a seven-body member of the Planning Commission. Whether or not they are going to give that permit, it is not a guaranteed—they provide the plans, they meet the setbacks, and we stamp them approved. Again, when looking at ag and farmers and Jeff folks would say this consistently, you need to treat a farmer not as your rustic

salt of the earth Steinbeck character, although they are, but at the same time you need to treat them first and foremost as a business person. They need to have a business model because at the end of the day, they need to put clothes on their children's back and put a roof over their head. Like any other business model, a businessman need stability and if you tell them you have access to these services, you have access to these operation and it is a guarantee, it creates stability in their proposal and their business model. But if you tell them, "You know, you can set up your IAL program over here, but when you go for that slaughterhouse or the processing plant, it is kind of up in the air whether or not say the Planning Commission is going to give that discretionary permit." It does put things out of the balance and it puts it a little bit harder on the farmer and that is what is getting to the point of having the possibility. I am not saying it is going to happen, because ultimately it would have to come to this body in the zoning designation and to ensure and how that land use operations would comport, but you would just need to acknowledge that.

Councilmember Yukimura: Well, okay, but I mean I cannot see something that is not going to be discretionary because of the impacts of the slaughterhouse or a dairy or anything that has major impacts has to be something that is judged on a case-by-case basis. I do not know that you could do it outright.

Committee Chair Chock: Any further questions on agriculture? Going once...I just wanted to mention, we did get some amendments from the coalition. I wanted to make sure that everyone received them. I think I got a packet here also on agriculture and for the IAL as well. I did not have any questions for any of the resource people that I know are here, but I wanted to make sure that the Planning Department is getting these from the coalition as well. As I read through some of them, they are not that significant. They are kind of like some "wording" things and I am thinking, "Well, I do not even need to talk about it," but I want to see if there is some give in that and you folks are having conversations. If not, we can get you a copy. Further questions?

Councilmember Yukimura: Looking at the proposal from the community, you know there is this charade of farm dwelling unit agreement and I do not know if this is addressed in the General Plan. Are you folks planning to address it in any way?

Mr. Hull: I think we are all in agreement that the farm dwelling agreement is rife with problems. It all goes back to it is a state entitlement. That every property is allowed on agricultural lands to have a farm dwelling. The problem being that...and it has to be in conjunction with a farm, the problem being that the definition of farm under State law is so loose right now. If an individual comes in with a papaya tree or two and says "this is my farm, here is my farm dwelling agreement," under State law, the department has to sign off on it. Are we happy and proud to, not at all, but we are duly bound to uphold the law and the law says a papaya tree is a farm. It is the way in which indeed much of the gentlemen farm proliferation has happened on agricultural land.

Councilmember Yukimura: Under partnership needs, we have identified a variety of actions that need to be taken by our partners and like I said I have seen the Planning Department go and say, "We need a change in the law before these reasons." Can we add that under partnership needs for an examination of the farm dwelling unit issue and...

Mr. Hull: I will say at this point, Councilmember Yukimura, I am not prepared to answer that. The attempt to redefine agriculture at the State legislature has been going on for decades. It is an extremely complex process whereby...it is an attempt to narrow what a farmer is in order to get to the bona fide farmer, but as it has been learned that every time you end up trying to narrow it, you box somebody out who very well maybe a bona fide farmer. We have been unfortunately left with this very broad definition, but it is been such a complex process whether or not we have the ability to reinsert ourselves back into it...I am not saying no, I am just saying I am not prepared to answer that question on the floor today.

Councilmember Yukimura: Is there somewhere in the United States where they actually have a good working definition of farm? And actually our farm working housing has one definition that has been working in terms of making sure it is a farm. Maybe you are excluding some people who are actually farmers, but it is keeping the country estater from applying and getting a farm worker housing permit. Otherwise the option is let our ag lands go and let them turn into large lot residential subdivisions and that is sprawl.

Mr. Hull: Like I said, it is a very complex process. Could this body as well look at coming up with its own interpretation of what a bona fide farm is, it could. Honestly, I have been engaged in those discussions at the State legislature for several years and like I said...case in point between a papaya tree, which is right now the farm dwelling requirement versus the farm worker housing plan, which is thirty-five thousand dollars (\$35,000) a year on your Schedule F tax forms, right. This one allows a whole lot in. The thirty-five thousand dollars (\$35,000) is going to push a whole lot out. Now, are there bona fide farmers out there working their land that would not qualify for the thirty-five thousand dollars (\$35,000), indeed. Does it mean we start evicting them from their properties?

Councilmember Yukimura: It just means you do not give them a farm worker housing permit. Let us not get the parameters mixed up here.

Mr. Hull: That is what I am saying is when you entered into the...

Councilmember Yukimura: They are still allowed to farm.

Mr. Hull: No, but when you are entering into the farm dwelling agreement discussion as far as, "Let us see if we can narrow it so that it is more than just a papaya tree," all I am saying is you begin to cross those thresholds and there are very real ramifications that the State has wrestled with for several decades, quite honestly.

Councilmember Yukimura: Yes, and if we want to actually achieve an increase in agriculture in a significant way, I believe just like we have to focus our affordable housing efforts on where the need is, one hundred twenty percent (120%) median income and lower, we probably need to go for the full-time commercial farmer on important ag lands. That means probably a minimum size, that is what other places have done and that is where then you see these commercial farms cropping up, because they have enough land to make it to actually support several people living on the land. They do commercial...it is not just the backyard farm that provides food

for the family, which is good and we need to allow that, but we are using really important ag lands, you are looking for a high level of production.

Mr. Hull: Yes, and like I said, Councilmember, I am not in disagreement. It is just that as to the question of whether or not we are willing to support an amendment to look at partnering to redefine farm dwelling agreements and the requirements under State law, I am just saying I am not ready to answer that question today.

Councilmember Yukimura: Okay, we will just send that over.

Councilmember Kawakami: Just a quick point. Because the topic of the definition of "bona fide ag producer" came up. Just this past session they created a bona fide agricultural producer task force tasked with the single mission of defining what a bona fide agricultural producer is, because if you tie it to income, you will find out that there might be a fruit orchard that was just planted that will not be able to see any income for the next six to seven years. Are they a farmer? Absolutely, but there are some intricacies in this that kind of go undefined and that is one good example. We have grass farmers that provide turf--these folks are farming. You have folks like me that are bona fide ant farms around the house. Thank you.

Committee Chair Chock: Further questions on agriculture? No. We will move on questioning for tourism. Are there questions on tourism? We already had some numbers and data, but any question on tourism as it relates to the General Plan and the amendments? No? Going once, going twice.

Councilmember Kaneshiro: Just keep going.

Committee Chair Chock: Actually, I do have some questions. Regarding a testimony and I think I put Carl Imparato down...I am wondering if I might actually ask...is he here? I just need one seat for him as it relates to this amendment. Carl, if you do not mind coming up. You submitted some amendments on the policies for the General Plan, under policy number 9, "uphold Kaua'i's unique visitor destination." Your amendments are pretty bold for one, to move in the direction of discouraging the (inaudible) and I just wanted to get a sense from you in terms of what you are proposing. What do you mean by discouraging, to what degree, and how?

CARL IMPARATO: My name is Carl Imparato and the amendments that we submitted were on behalf of the Hanalei-Hā'ena Community Association.

Committee Chair Chock: That is right.

Mr. Imparato: I am president of the community association and I am speaking on behalf of that group. In order to explain the amendments, I think a minute of two of a background as to what motivates them is useful, because you have to mix into that context. You have to look at the North Shore Kaua'i from Princeville out to the end of the road, is really ground-zero for excessive tourism. I want to stress excessive tourism because there is not an opposition to tourism, it is the amount and the problem is that from Hanalei through Hā'ena, there is probably about thirteen hundred (1,300) residents total. The average daily visitor count on the island is often thirty thousand (30,000). Even if one out of seven of those tourist

comes to the North Shore on a given day, I think that is a low number, that quadruples the population in our area. We are drowning in a sea of excessive tourism. The roads and parking is overwhelming and is crowding us out and consumed forty percent (40%) of our housing and put us into danger regarding evacuation—it is a tsunami zone. We believe that the number one priority for the General Plan should be to manage excessive tourism. Now the problem is that the draft General Plan has ignored its under forecasted tourism growth. For over a year we have said that the close to zero percent going forward projection for tourism growth was wrong in the General Plan because since 2000, the growth rate has been two percent (2%) a year. That include the September 11 events and that includes the recession in 2008. Since 2010, it has been four percent (4%) a year. If growth continues at two percent (2%) a year, the visitor count will increase by forty-six percent (46%) by 2035, from twenty-five thousand (25,000) to thirty-six thousand (36,000). If it increases by four percent (4%) a year, there will be a one hundred twelve percent (112%) to fifty-three (53) almost. Now, we are not claiming that four percent (4%) is likely because I think before that happens, conditions would be so miserable, the hostility that residents would have...the tourists would make Kauai's reputation more like Mexico or something. In general, there has been a denial about what has been going on. Last month, the Planning Department has upped its forecast, but it upped slightly more than one percent (1%) a year on annual growth. That is half the growth rate that we have experienced for the last seventeen (17) years. Why does it matter what this growth rate is? It matters because if we hide the size of the problem, then we do not see the need for real solutions. One example, the traffic in Hanalei Valley—it routinely backs up now for miles. It is a dangerous situation if we had to evacuate the tsunami zone. It did not happen five (5) years ago, traffic from Hanalei Bridge all the way to Hanalei School. What has happened in those past five (5) years to make that happen? The only substantial change is that the tourist count increased by five thousand (5,000) by twenty-seven percent (27%) between 2010 and 2016. Under the one percent annual growth forecast that the Planning Department has given you last month, the forecast for 2035 is that that count is going to go to thirty thousand from the current twenty-five thousand, it is bad enough. If it goes to the two percent (2%) growth rate that we have seen for the last seventeen (17) years, it is going to go to thirty-six thousand (36,000). If it is more, then what? The problem is that the General Plan should be looking at a range of credible growth possibilities and saying what are we going to do about it? But the General Plan does not really have anything to address the problem of excessive tourism. It boils down to one policy that says keep all the new tourists accommodations in the VDA areas and also expand the one VDA in Princeville, by the way. The Planning Department told you folks last month that three thousand seven hundred twenty-six (3,726) additional tourist units could be built, not even counting Princeville Phase II under the draft. Almost thirty-five hundred (3,500), three thousand four hundred forty-eight (3,448) of those units are vested and unstoppable.

The draft General Plan policies would accommodate all the tourism increase under their one percent (1%) growth rate forecast and almost all of the two percent (2%) growth that we would more likely see. The draft General Plan's policies of trying to keep the visitor destinations intact and not expand them are not going to solve the problem. They would do nothing to prevent the increase in tourists. That is the fundamental problem that we do not have policies and actions to deal with that. This is where then long story short, we came through with our proposed amendment because there are policies, and there are actions that could slow down the excessive growth of tourism. There are meaningful things that the County can do. We are trying to limit the size of the VDAs and trying to control the number of tourist units

is not going to do that because the horses are out of the barn, three thousand four hundred forty-eight (3,448) already have vested rights. The idea is that three hundred four hundred forty-eight (3,448) units that are allowed to be built right now that are vested, they will not materialize. Developers will not spend the money to build those units if the demand for those units does not show up. We need to focus on the demand and we need to focus on why there are more and more tourists coming to Kaua'i. Just like the State and the County, have the ability to increase the tourism growth rate by advertising incentive subsidies to marathons and other things, the County and the State have the ability to decrease that growth rate. I did not say decrease tourism in period, I said decrease the growth rate to a desirable and manageable level. By stopping the encouragement of more tourism by ending subsidies for tourism by increasing the cost to tourists and revenues, and using the revenues to make Kaua'i more liveable for us, and making Kaua'i overall a slightly less appealing destination for mass tourism. Like any other product, the amount of demand is based on how attractive the product is and the price of it and so our proposed amendments really come down to nine (9) actions, but one overriding policy that you have to accept in turning that ship around and that policy that we are asking you to look at putting into the plan is as follows: to protect Kaua'i's communities rural character and residents quality of life. County government will use all measures at its disposal to discourage the visitor count from exceeding a level that is greater than Kaua'i's infrastructure level, capacity, from exceeding the level that threatens communities and rural character, and from exceeding the level that threatens quality of life. What is that level? We believe that the General Plan should state that that level is the 2016 visitor count and in our detailed testimony, we state why, we believe that is the case. That should be enough to deal with the County's job needs.

Committee Chair Chock: I guess for me what I am trying to get a sense of is, in terms of what the County supports and funds, which are a bunch of different things, because we are talking about everything from airport greetings and music there to cultural events and even the establishment of task force for strategic viability of tourism. Are you suggesting in your amendment that we eliminate all that funding sources?

Mr. Imparato: One of the things we are suggesting is to eliminate County funding and subsidies for those tourism activities and events and the ones that growth tourism, but to redirect all those County tourism efforts towards projects that will either reduce the ADBC, but have higher value tourism or reduce the negative impacts of the existing tourist count. We should work with the State to do the same thing. Yes, there are a number of things that basically just bring more people in and that creates harm and those are the kinds of things that we suggest the County should not do. We also suggest that the County should not approve tourism-related development or activities outside the VDA, not just hotels we are talking about here, but other activities. That you do not allow any expansion of tourism-related activities on County jurisdictional public lands and that we work with the State to not allow increases as well.

Committee Chair Chock: Okay.

Council Chair Rapozo: I have a question.

Committee Chair Chock: We have your testimony here, so I do not want to...I have all of the proposal. I just wanted to make sure I was clear about exactly what it is you were targeting. Council Chair Rapozo.

Council Chair Rapozo: I wanted to know an example of tourism activities outside the VDA. What would be your suggestion?

Mr. Imparato: To the extent of the County, it has approval authority for example on expanding helicopter tours and there are some tours that actually have to come in every five (5) years for permit re-approvals, do not allow expansion of that to the extent that there are active requests which have come to increase zipline tours, for example, outside the VDA and all. Do not allow that. What that will do of course is increase the cost of helicopter tours to visitors, increase the cost to zipline tours to visitors, and that means there will be somewhat fewer visitors that will come in.

Council Chair Rapozo: How will it help with jobs? Any consideration to the impact of the jobs of our local residents that rely on that income?

Mr. Imparato: Sure. If you believe the numbers in the General Plan, the General Plan said that we would have...

Council Chair Rapozo: I really just wanted a clarification on what he meant by his suggestions. I think he is looking for the numbers, but that is okay.

Mr. Imparato: I am sorry. Do you want me to answer the question?

Committee Chair Chock: Why do you not answer the question and we can take a break.

Council Chair Rapozo: If you have it.

Mr. Imparato: I just had to find the number in the small print on our footnote. The General Plan's projections for population increase are thirty-one percent (31%) by 2035, well, if we stop the ADC growth, the visitor count growth right now, we have already had close to that amount of growth under that same window of the plan. We have had enough tourism growth to meet the job needs. Of course, a lot of those job needs have been filled with people immigrating to the County, but when you look at the thing on the overall balance and what that really means is the additional job growth for the County, the tourism-related job growth has already been created. The job growth in the other sectors is what we really need to be focusing on. We should be basically doing things like, for example, getting the State to allow the County to put a surcharge on the tourist accommodation tax, which would slow growth and use that money to fund George Costa and others' efforts to increase jobs in the areas that we do need them. It is a redirection. Indeed we understand the need for employment for all residents.

Committee Chair Chock: Councilmember Kawakami.

Councilmember Kawakami: Thank you, Mr. Imparato, but surely you do not mean in your testimony that we should stop supporting events that draw in tourism and visitors, like when we support Statewide canoe races or Statewide surf competition or when we are host Statewide softball tournaments for our seniors, those are all high impact visitor. We get a large amount of visitors coming in and yet when you make the statement that we should stop supporting, I guess, events that

support visitors coming in, you surely cannot mean for us to stop supporting these types of events because they utilize our County lifeguards and County parks, but then how do you delineate what events we should and should not be supporting. There are tremendous amounts of economy being generated and some of these events are quite important culturally to who we are as people. Do you mean those?

Mr. Imparato: You are correct. I surely do not mean that. If it is a question of wordsmithing things, because we tried to get this on one page, it is one thing. Indeed, there are events though that have been primarily dedicated towards tourism, whether it is...as Council Chair Rapozo or someone said, having songs greeting people at the airports or whether it was the Kaua'i Marathon, which was really marketed as an international event, but indeed if things are important to residents and they are not primarily tourism-focused, we would view that as resident-focused. It is a balance.

Councilmember Kawakami: The Kaua'i Marathon, I have to tell you that I disagree. I do think it is a local event and only because I have done it a number of times and I get to see the large amount of local families who have been participating. I have to be honest that health and wellness, and sports and recreation are two clusters that we have designated as very important areas where we want to diversify our economy and sort of have a back up to tourism. This is like the double-edge sword, because yes, they do attract visitors, but I can tell you from the economy standpoint, I can speak specifically to it, the Kaua'i Marathon when it used to come into town we used to see large jumps in numbers in the grocery stores. For some of these mom and pops, they are dependent especially on the south side when you get these types of events. It is a double-edge sword, I hear you. Believe me, I hear you that these types of events create additional pressures on the community because I have to believe that not everybody in that O'ahu, Po'ipū, and Kōloa areas are totally happy when the Marathon comes to town, so there is that impact, but it is hard for me right now...and maybe we can have a discussion offline as to how really by not supporting these types of events is going to address the impact of tourism at-large in a holistic manner. It might be a part of the puzzle to take a look at, but when you take a look at the overall impact, I just do not see how by not supporting these types of events is going to address the whole overall picture and impact.

Committee Chair Chock: I am sorry. I have to take a caption break now, so we will come back to any more questioning on tourism.

There being no objections, the Committee recessed at 3:53 p.m.

The meeting was called back to order at 4:03 p.m., and proceeded as follows:

Committee Chair Chock: Welcome back from our caption break. We have until 4:30 p.m. today, so we will get through as much questions and answers as possible for the rest of the afternoon and will be back at 8:30 a.m. tomorrow morning for public testimony. At this time, Councilmember Kawakami, do you have any further questions? Any further questions on Mr. Imparato and the association? If not, thank you so much for your time.

Mr. Imparato: I was going to answer Councilmember Kawakami's question. He did point out that there are benefits to shop owners and all, I just wanted to say that we proposed a menu in our proposed amendment of actions. They need to be, in our opinion, fine-tuned and work together the alternative

of saying, "We are not going to do anything like this." It is to say, then, that we are going to have two percent (2%) of additional growth per year, we are going to have another forty percent (40%) soon, and then let us just suck it up and say it is going to be bad. Otherwise, we need to do something and that is what we are proposing here. Thank you.

Committee Chair Chock: Thank you very much. Any further questions on tourism? We do have the task force here and I did have one question of them, but I will leave it open for members for further questions.

Councilmember Yukimura: I do. I would like to have the Planners.

Committee Chair Chock: Yes, the Planning Department.

Councilmember Yukimura: Under permitting actions and code changes, number 1 on page 160, you say, "Revitalize rather than expand the resort areas in Po'ipū, Līhu'e, Wailua, and Princeville." What do you mean by resort areas?

Ms. Williams: The VDA.

Councilmember Yukimura: That would mean that Princeville Phase II is not in that resort area?

Ms. Williams: If it is, designated resort through our future land use map and then, yes, it would indicate that that would be an area appropriate for VDA expansion.

Councilmember Yukimura: That is why I asked what you meant by resort areas and then you said it means the VDA, but the VDA does not include Princeville Phase II and yet you folks are recommending that we keep the General Plan resort designation in Princeville Phase II. It feels like there is an inconsistency in your text and land use map.

Ms. Williams: Yes, and just to clarify the history of how this draft came about. When we released our public discussion draft, I think it was over a year ago now, we did in fact pull Princeville Phase II off the future land use map. So a lot of this language is around this idea that we wanted to put out at the time and asked, "What if we in fact tried to do what we can to limit the expansion of visitor unit growth by removing the potential for those areas on the future land use map that at this time only have State land use ag and County ag zoning as well."

Councilmember Yukimura: If you took it out in the beginning, you recommended, why did you put it back in?

Ms. Williams: The purpose of our discussion draft process...well first of all having a discussion draft was something new. I think that in the past or what typically happens is you go through a public process, you have an administration draft, which we did in fact have, and then you release a public draft and that is the draft that you take to be reviewed at Commission. It then moves on to Council. We wanted to have an interim (inaudible) because what we were hearing is that there were members of the public that did want a lot more input and so we viewed that discussion draft as a chance to really test some of these ideas and see if there was community support. I have to say that at the time when we did release that

draft and we did open-house events, Princeville, Kīlauea, we did an east Kauaʻi and the west side as well, that there was not a lot of support for the Princeville Phase II. In fact, people came out against that and actually said, "You need to keep this in." We felt we had to respond to what we heard at the time.

Councilmember Yukimura: Even though the planning data, the issue of overgrowth of infrastructure, and all of that, you are just saying, "Because the public opinion is different, that we would change it?"

Ms. Williams: This plan is not created in a room with just us "Planning" staff. It has to be part of a public process and it has to reflect that.

Councilmember Yukimura: Okay, but how is this island going to handle the additional growth?

Ms. Williams: Well, it is true. With or without Princeville Phase II, we do acknowledge and we have acknowledged it early on in our process that in fact that is how it even came about to leading to the changes we recommended in the future land use map through our discussion draft. We did the buildout analysis and we saw that there was a potential of three thousand (3,000), I think it is actually more like three hundred five hundred (3,500) hotel or resort units.

Councilmember Yukimura: Your slide said three thousand seven hundred (3,700).

Ms. Williams: Yes. That could be in fact mean that we were in the pipeline in some stage and so again, this being the General Plan and there is not only one (1) goal for this plan, I do recognize that some people do have a valid concern that perhaps the primary goal of this plan should be to limit resort growth. Given that we are looking at trying to create a future land use map, it does come down to what the future land use map shows, but if you are looking for a specific strategic plan for how we manage tourism growth impacts, this General Plan is not the plan for that. We do have our tourism strategic plan that actually brings the resort industry and other partners together to look at managing issues specific to our resort industry.

Councilmember Yukimura: Marie, the tourism strategic plan says we do not have infrastructure or capacity and even social capacity that they are worried about. At twenty-five thousand (25,000) average visitor daily census and we are already exceeding that, so this plan is inconsistent with the tourism strategic plan.

Committee Chair Chock: And we have Diane here. That was one of my question, so I want to see if we could bring her up as well and get some clarification on the direction and the actual numbers that we should be looking at.

DIANE ZACHARY: I do not have an answer to what Councilmember Yukimura, specifically, asked.

Committee Chair Chock: Okay.

Ms. Zachary: Marie, did you want to address what Councilmember Yukimura said?

Ms. Williams: I believe what Councilmember Yukimura is asking me is what is our plan to address the fact that our visitor population will most likely increase or are you asking what can we do to prevent that from occurring?

Councilmember Yukimura: I am asking why is Planning not sticking with its original recommendations given the fact that we are not able to handle existing population growth and tourism existing average daily population. How are we possibly going to...I mean it is a contradiction of good planning to me that we would designate for more growth when we cannot even handle existing growth and that we have entitled growth that will more than supply future growth?

Ms. Williams: I guess I just explained the thought process that we had to go through in getting to a departmental draft that we took to the Planning Commission. Right now, there is an opportunity to amend our future land use map, of course, and we as a department would not object to amendments that are being proposed. Also, when you think about how we manage the impacts of growth, when it comes to the impacts that visitors have, many of our action ideas and the items in this plan are spread throughout chapter 3 in our Shared-Spaces Sector and our Transportation Sector. For example, a lot of what we are hearing is that that impact intention that we get when visitor numbers are high is because there is a sense that traffic is worse. That there is less parking available at our beach parks and so what this plan does support is that we look at ways that we can do a better job at managing parking issues at key critical locations and also how we can encourage more...when visitors come, how we can get them to use perhaps the bus more. There are other means of them moving around Kaua'i instead of just a private vehicle, which is the dominant transportation mode right now.

Councilmember Yukimura: Thank you.

Committee Chair Chock: Follow-up question.

Council Chair Rapozo: The one question that I heard her ask was does this General Plan contradict the Tourism Strategic Plan. That is what her big question was and you went all around it, but does it in fact conflict with the strategic plan and if so, why would we put it in?

Ms. Zachary: I cannot speak to the Princeville project, specifically, because that is...

Committee Chair Chock: Please state your name.

Ms. Zachary: Diane Zachary. I am a consultant facilitating the Tourism Strategic Plan. The Tourism Strategic Plan does not specifically address Princeville Phase II at all.

Councilmember Yukimura: It is not a land use plan.

Ms. Zachary: Yes, exactly. We do not get down to a project-by-project recommendation; however, the recommendation in the plan that we are currently in, we are in the third year of a 3-year plan and that plan does state that we start seeing more visitor complaints, more problems that residents have when our visitor population per-day exceeds about twenty-five thousand (25,000). We have a range of twenty-three thousand to twenty-five thousand (23,000-25,000) and that is

given our current infrastructure. If the infrastructure was different, that number might be higher, but that is what it seems like today. I wanted to mention that in February, we are going to be starting a new 3-year strategic plan and we are starting to gather some of the issues that would need to be included in the development of that new plan. We have been doing some research on articles in particularly looking at the issues of over tourism and what other communities have done to limit over tourism, when they are sort of love to death, and that is something we want to avoid that for Kaua'i. There are a number of things that we have to look at and Carl mentioned some that his group have looked at, but I think there are certainly others that we might look at. Some, we currently do not have control over, but perhaps we could find a way to change legislation so that we might have control. One example of that and I am not suggesting that this is what our group would come up with, but this is one that I know has been among the options is limiting seat capacity on the airplanes because there is a large increase projected and the number of flights coming in and the number of seats on those flights. Right now, we are not able to control that, as a County. What would it take for us to be able to have some input into the number of flights? We do not know the answer to that because we have not explored it and so that is just one of the things that we plan to look at in a new strategic plan.

Committee Chair Chock: I think some of the barriers that we have been struggling with is really how it is with the State oversight, DOT or even in regards to rental cars, and I do see "rental cars" number three, partnership needs establish a County tax on rental cars to fund our transportation. I would like to hear more about that before we leave for the day. I just think that there are some big barriers that we need to oversee and I want to get a sense of what you are talking about wanting to address is this partnership with the State to address these capacity issues. Councilmember Yukimura.

Councilmember Yukimura: I am glad you are looking at other areas that are struggling with the same issues and how they are trying to address it and I have several questions along that line, both for the Planning Department, because you do use the word sustainable tourism on number 7. Number 7 says, "Promote sustainable tourism and educate visitors on the vulnerability of Kaua'i's environment," under partnership. I asked what sustainable tourism was in the South Kaua'i Plan and I think you took it out or something, because I could not get a clear definition of sustainable tourism. How do we know what we are going to promote if we do not know what it is? It is a two-fold question; what is sustainable tourism, if you are going to use it, please define it; and the other two is...somewhere else there is talk about caring capacity for visitors, supposedly the State is trying to do that. Is there any place in the world that has actually not just talked about, "Oh, we should determine our caring capacity," but has actually done it in terms of sustainable capacity on tourism? I would like to know. Otherwise, it is just this idea that you mention in every General Plan for the next fifty (50) years and nothing happens.

Ms. Williams: I am sorry, I just want to add that I do recall that discussion in the South Kaua'i Community Plan and I think we actually did work with you to wordsmith and define what that phrase means, so that is perhaps something we can look to you and bring back.

Councilmember Yukimura: I think I agreed with it because I did not think I could get anything else, but I do not know that it really defines it, but let us go back and look at it. Diana, did you have any input on those two things?

Ms. Zachary: In terms of other places that have defined capacity, that would be part of our exploration, I do not know today. I know places that are looking at how to diminish capacity, but in the process, what they defined it, I do not know that answer.

Councilmember Yukimura: I do know that at Grove Farm Homestead, they have defined the number of visitors that they can have daily and not affect the resource and I think we have all heard about the Sistine Chapel and how from the body heat and stuff, the paintings of the Sistine Chapel were being affected. There are visitor areas that have experienced overload and have set limits, of course it much easier at Grove Farm Homestead to set limits, "We only take so many visitors a day or so many times a week," but the issue is real.

Ms. Zachary: One example on our island is Hā'ena State Park and the master plan. They have looked at capacity of that park and at what point is the resource diminished by exceeding that capacity and so they are setting a limit. Now, that has not been fully approved yet. I think this month it is going before the Board of Land and Natural Resources, so it has been done right here on Kaua'i.

Councilmember Yukimura: I am also recalling and I think Councilmember Kawakami was talking about have we looked at important ag lands and the indicators on it to see if our policies have had any effect. I very much commend the visitor industry who tracks very carefully the feedback from visitors, so that is one sign of overload. If there is a lot of complaints and people are starting to say, "I am not coming back," or less than that, they might not be so extreme, but they could say, "this was a problem. I did not like getting stuck in traffic. It is starting to feel more like L.A. than it used to." There are those internal feedback loops that we have to listen to because they do in the long-run affect whether we are going to have a successful industry long-term. The visitor industry has a stake in controlling and managing growth, I think.

Ms. Williams: I also just want to add and I know that we discussed this earlier that it is possible to definitely look at how other Countries, independent Countries might look at how they manage who comes in and who is allowed to come and visitor their Country, for example, such as Bhutan. They definitely have a requirement where to apply for a visa. I think you either have to pay a high fee, because they are essentially looking for a certain type of visitor.

Councilmember Yukimura: The number of flights into Bhutan, too, that they control.

Ms. Williams: Okay, yes, but some of those are basically impossible for us as a County to implement. We should definitely explore, but we just have to also consider what we as a County can and cannot do.

Councilmember Yukimura: Exactly. That is why having more visitor units to fill creates a huge momentum to market and fill them.

Committee Chair Chock: We have a follow-up question.

Councilmember Yukimura: Okay. I actually do not agree with Mr. Imperato that if you just...they will not build it if there is not a demand. There is a lot of people who miscalculate demand and they are just thinking of big profits and

Kaua'i is such a great place and they will overbuild, sell it, or do something, but they do not care really what happens in the long-run, but they will build it and we will have to fill it.

Mr. Hull:

I think...

Councilmember Yukimura: The number of resorts can be a growth factor.
The number of resort units can be a huge growth factor.

Mr. Hull: To your point, Councilmember, as Marie pointed out of the initial draft of the release removed it and then after much input by the community, we did put it in, but I can honestly say it was not without much soul wrestling within the department and administration whether or not to put it in. It was not a hard and fast decision, "Oh, boom, let us put this in here." We do realize that it comes with the impacts and there is still very much concern about how much this island can carry feasibly with the tourists' accommodations. We did ultimately put it in and it was voted on not once, but twice at the Planning Commission just because they were going through their discussions and searching of whether or not it should be in there. I cannot say it is in the final product, but indeed, I would imagine this body also is going through its own searching internally of whether or not it supports keeping it in there or taking it out, quite frankly. I do not think you will find it as a particular area that this department is staunchly ready to defend. It is our final product, indeed, and we stand by it, but it is not a hard and fast decision, nor does it have to be in there and we need to move forward with it. If you have any amendments in the future, we will look forward to reviewing those and providing our input.

Committee Chair Chock: We have time for one (1) more question,
Council Chair.

Council Chair Rapozo: We went all around the world, talking about visas and Bhutan and limiting air seats, which all of those things, as you said we do not have control over. That is just a waste of time discussing that because that is the solution—limit the seats on the plane, obviously, we are going to have less tourists. We cannot do that. The decision to put it back in, Princeville Phase II was a department recommendation. How many recommendations get rejected by the Commission? What percent? Just a ballpark. Is it like ninety percent (90%) of the recommendations get approved by the Commission.

Ms. Williams: In relation to the General Plan?

Council Chair Rapozo: Yes.

Ms. Williams: There were a lot of amendments that were made over the six (6) months that we were at the Planning Commission. I think a total of at least two hundred (200), if you piece them all out, because a lot of the amendments came in a package, of course.

Council Chair Rapozo: I am talking about recommendations of the department. In other words, this proposal is from the department recommended to include or take out. How many of those get dumped by the Commission?

Ms. Williams: To be honest, it is a little difficult to say because the General Plan is so vast and comprehensive, but I would say that after the Commission did focus on the things that they wanted to, that overall there was a sense that the plan was good enough to move forward to County Council for this discussion now.

Council Chair Rapozo: Okay. This is my question and this is like I said where it all started. According to the strategic plan, twenty-three thousand to twenty-five thousand (23,000-25,000) visitors per day diminished the quality of life for visitors and residents, is that why we are sitting here today. The fact that increasing the number of resort units or the size of the resort area or Princeville will take us far beyond the twenty-three thousand to twenty-five thousand (23,000-25,000) per day? That is my question.

Mr. Hull: It would ultimately depend on the type of zoning action that it came before this body because the GP designation would give them the ability for up-zoning. What ultimately they would have to do is if they want to go after typical resort/hotel type of development, it could drastically increase it. Now, if they are looking at smaller type of developments like what much came to what Kukui'ula has done in the past few years, it would be much smaller than that resort. So, it would just depend on the zoning entitlements they came to before the County Council at a future date.

Council Chair Rapozo: And we do not have an idea what we want to do.

Councilmember Yukimura: Can I add some information?

Council Chair Rapozo: Go ahead.

Councilmember Yukimura: Do you not want to know more information?

Council Chair Rapozo: The last time I asked for clarification, you said, "Wait until I am finished," and was it not just a couple hours ago. I am just trying to understand your rationale of...and this is really going back to Councilmember Yukimura's original question was where she talked about conflicting with the strategic plan.

Committee Chair Chock: We are at 4:30 p.m.

Councilmember Yukimura: Okay, but...so it is two hundred plus acres, I believe, that is at the Princeville Phase II, a lot of ravines and stuff, but according to the lawyers of the landowner, there is a zoning ordinance that caps it at one thousand. A zoning ordinance for the western plateau, when we gave them zoning for the western plateau, we capped the central plateau, which is Princeville Phase II. You have to go back...they are supposed to send me that ordinance, but that is the maximum, Chair. One thousand more units.

Council Chair Rapozo: Okay. Sign them up.

Committee Chair Chock: We can continue this discussion...

Council Chair Rapozo: Because I am leaving.

Committee Chair Chock: It is a big discussion. Again, 8:30 a.m. tomorrow morning, public testimony, followed by this subject, which is tourism. Thank you. I am pretty sure that we will need OED back as well and another representations from amendments that are on the table. Thank you so much. This meeting is in recess.

There being no objections, the Committee recessed at 4:31 p.m.

MINUTES

Special Planning Committee

Honorable Arthur Brun
Honorable Mason K. Chock
Honorable Ross Kagawa
Honorable Arryl Kaneshiro
Honorable Derek S.K. Kawakami
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura

The Committee reconvened on November 9, 2017 at 8:37 a.m., and proceeded as follows:

Committee Chair Chock: *Aloha* and good morning, I would like to reconvene the Special Planning Committee this morning and we will be taking public testimony first thing. Everyone will have three (3) minutes to present on our topic today, Topic 5, which includes Economy, Shared Spaces, Tourism, and Agriculture, and also Heritage. Just so Members of the Committee know, we have our State Parks Representative here today who has to leave at 11:00 a.m., so what we will be doing right after public testimony is actually moving towards any questions for Parks so that he can catch his flight and be on time. At this time, I would like to suspend the rules.

There being no objections, the rules were suspended.

SCOTT K. SATO, Deputy County Clerk: The first registered speaker is Felicia Cowden, followed by Debbie Jackson.

FELICIA COWDEN: Debbie and I were going to testify together.

Committee Chair Chock: Okay. If you want that on camera, you need to come up to the front here. Yes, right here. Kainoa, is that right?

Council Chair Rapozo: Can you get that, Kainoa?

Ms. Cowden: Felicia Cowden and Debbie Jackson, for the record. She will be there in a moment. Quick question. Did you all get a chance to see my testimony that I sent on Monday?

Committee Chair Chock: I did.

Ms. Cowden: Okay, so Councilmember Yukimura, I did especially for you to answer your question about 3-demensional and Councilmember

Kawakami's question about important ag lands. When important ag lands came forward, we were all so excited about it in the small farmer community, because we understood it to be able to help the small farms. We went to the meetings that the County put on and we went to the first legitimate piece, which was at Grove Farm. There were about ten (10) of us from this Northeast area, there were some from Hanalei, some from Hule'ia, Debbie is from Hule'ia, and I think it was like "the kids crashed the adults party." We got explained to, but then we had a break. Those of us small farmers had juice and cookies and the more important people went with the State people and they got their real work done for important ag lands. We did not get it. For what Councilmember Yukimura was looking at, Councilmember Yukimura if you look up here, is the areas...oh, you can look at it later, I see that you are kind of busy, but...

Councilmember Yukimura: I am just trying to take notes.

Ms. Cowden: Okay, so right up in here, excuse me, here is where like two (2) billionaires basically are in control of that property and they are being able to get this. We can set it to the side, now, I guess for a moment. They get the important ag lands. What I sent for our testimony was an effort that we were pretty excited about what happened last month from the young farmers trying to do a built for what could be a house is ten thousand dollars (\$10,000) element, it would be an ag shed, but it could be adapted to be solid, small housing that could be in a community style. It also said something like *kauhana* resolution from the State about how you can do community housing in a way where there is a central kitchen because that would work well for both Hawaiian communities that want to live close to the land and farm communities that want to live close to the land. When this IAL came out where you could do fifteen percent (15%) of the property with great density, what was so compelling to the small farmers is that that is a place where we could do worker housing camp and not with vacation rentals or anything, but where it could be set with almost like revocable permits. Not "almost," but with revocable permits. So, we are going to switch to Debbie's time.

Committee Chair Chock: Has Debbie signed up already?

Ms. Cowden: Yes. I put in here about what I spoke about, I think it was last week and before, that if we had a ballot amendment for a farm commission...oh, hey, I meant to hand these out to you folks. If we had a farm commission, it could be looking at the challenges of how many farms and this would be for page 225, no excuse me, page 166, would be the page in here. It would be another action in the plan. So, if we had a farm commission, they could help small farmers determine whether they are appropriate for IAL. It matters what kind of plants are grown for what is appropriate housing on the property. It could manage complaints for farm impacts and mistakes and how it impacts the communities, and it could interface with planning and OED. There is such a pressing need for housing

on the farms and they do not need to be big, serious houses, they could be tiny houses, like when Justin taught that class at Kaua'i Community College (KCC). It filled really fast. It is something that people have a lot of excitement for and it can be with big central kitchens. Debbie's farm is in Hule'ia and you can speak if you want to. You have your family living there, right, so having family clustering.

DEBBIE JACKSON: Right, in my family, we have myself and my husband, and our two (2) children are there, and six (6) grandchildren live there. We cannot build a big house down there, according to the rules. A "*kau hale*" style in the old Hawaiian style would benefit us greatly. We are all the farm workers.

Ms. Cowden: Yes, and building on that, sometimes when we call it "farm worker housing," I think we really need to call it "farmer housing." Sometimes I feel like the farmers in this Northeast area, some of this area, this is where we grow the food for a lot of the farmers' markets, for the restaurants, and hotels. They are real farms and sometimes they get ridiculed as gentlemen farms or gardeners. There is a lot of hard work. Some of them are gentlemen farms, but there is a lot of hard work that goes in there and they need to be honored with the IAL and we need to be able to put the housing on farms, because it just does not work otherwise, economically or agriculturally. Did you have a question?

Committee Chair Chock: I have a clarification here. The request is for an amendment for an establishment of a farm commission. Are you talking about a formal commission as we have a Planning Commission and so forth?

Ms. Cowden: I am. I actually have submitted that request and it is on the agenda for the next Charter Review Commission Meeting and I would love for you folks come and help me with it.

Committee Chair Chock: Thank you so much for that clarification.
Councilmember Yukimura.

Councilmember Yukimura: The small house that you talked about that was eleven thousand (\$11,000).

Ms. Cowden: Ten thousand (\$10,000), yes.

Councilmember Yukimura: Ten thousand (\$10,000). Did that include sewer, water hook up, and all the facility reserve charges that pay for the system as well?

Ms. Cowden: No, that is the structural cost that we were able to pull off last week. I think if it was approved as the State approved to use composting facilities, that would work or if there was a septic system that was linked

in to a series of places that could become bedroom areas, that you do it to the regular capacity of septic.

Councilmember Yukimura: Okay. Are you aware that the present farm worker housing is for farmers as well as for workers?

Ms. Cowden: I am aware of that, but when we say "farm worker housing," sometimes that is confusing because the present farm worker housing is at a cost that maybe an established farmer would want to have for their own house. You do not spend one hundred fifty thousand dollars (\$150,000) for a removable house for somebody that might be living there for three (3) years.

Councilmember Yukimura: Do you understand that in the law, the farm worker housing has to be removable because it is on post and piers, and we do revoke. There are provisions for revocation if it is not followed, but I must say, if you watch the history of the Planning Department enforcement efforts, the revocation is hugely consuming of time and money.

Ms. Cowden: That is why we have a farm commission. You need to have a farm commission to be able to really sit there and vigorously look at and enforce that and make sure there is not abuse. Somebody has a mahogany farm, they do not need ten (10) employees.

Councilmember Yukimura: Okay, well...

Ms. Cowden: Lettuce, maybe.

Councilmember Yukimura: Alright. Just as long as you are aware of that. Debbie, how much land are you on? What is your acreage there?

Ms. Jackson: My farm is on two (2) acres.

Ms. Cowden: It is *kuleana* land, right?

Councilmember Yukimura: Okay. Is it zoned ag?

Ms. Jackson: Yes.

Councilmember Yukimura: Thank you.

Committee Chair Chock: Thank you. We can talk later on about Auntie Debbie's situation offline. Next speaker, please.

Mr. Sato:
by Randy Baab.

The next speaker is Gabriela Taylor, followed

GABRIELA TAYLOR: Good morning. Nice to see everybody here. I have a big, big picture to put out. In order for the next generation to survive here, Kaua'i needs to become food sustainable by 2050. This is the thrust of the article published in The Garden Island last week, quote, "*Major Food Crisis In Hawai'i At Mid-Century*," by Dr. Kioni Dudley. He begins by citing projected population growth on the Earth, more specifically in Hawai'i. The United Nations states that the world must double its food production by 2050 in order to survive and that means farmers need abundant land as well as secured water sources. Let us consider the potential fate of Kaua'i by 2050. We are importing ninety percent (90%) of our food in the extensive acreage of flat ag land on the west side is now growing experimental seed crops. Given that water is the main limiting factor for agriculture, we see that drought years have increased here and according to rainfall records, our blessed Mount Wai'ale'ale is no longer the wettest spot on Earth. The combination, more people to feed and less water available means that food imports we now count on will decrease because: a) the whole world will be suffering from food storages due to droughts and over population, and b) the cost of fuel will increase to the point that people here cannot afford shipping cost. Kaua'i will become a very expensive place to live. Will local kids be able to stay here? Not unlikely unless we do something. It is time to be opening up farm land and to start growing locally all of the foods we now import, if we are to survive on Kaua'i beyond 2050. The General Plan must include: 1) Strict growth land management for population and tourism; 2) We cannot afford to lose farm lands. Enforce no up-zoning of ag lands to commercial or residential use and adhere to the mandates of our CZO; 3) The government must condemn all over extended permitted projects and downzone that land back to ag. Exercise eminent domain and keep land and farming perpetually. 4) Now is the time to expand farm education in high schools, in KCC, and get young farmers out in the land; 5) Mandate that the best ag State lands now used to grow GMO crops, instead be leased to small farmers who can restore it and grow food for residents with no export crops allowed. Create more ag parks releasing small parcels to farmers. 6) Right now the County should support farmers who sell at Sunshine Markets by allowing compact farm worker housing to be built for their laborers. In conclusion, picture a high tower erected with building blocks. Each on a sector of the General Plan Update, which contain all of the objectives inactions that will guide the plan for the next twenty (20) years and beyond. Look closely, you will see that there is a weak block that is crumbling. Eventually, it will cave in. That block is the weakest link in the tower and it is agriculture and food security. Please look at this harsh reality and make that block strong...

Mr. Sato:

Three (3) minutes.

Committee Chair Chock:

Thank you.

Ms. Taylor: ...so it can support Kaua'i for the future for our *keiki*.

Committee Chair Chock: Okay, thank you. You got it in there. We received your written testimony as well, so it is all written down, everything that you said.

Mr. Sato: The next speaker is Randy Baab, followed by Don Heacock.

Ms. Taylor: No questions?

RANDY BAAB: Good morning, Council. I am a business owner. I am concerned about the way this road system is going. I moved here thirty (30) years ago. Twenty-year plan was to have a road over powerline. Also, an alternate route tied in from the Tree Tunnel to the back of Wailua to powerline. Those roads would be alternate feeds, you would not need to widen any highways. If you have an alternate feeder, it is easier for fire fighters, police, and emergency vehicles. I was also a fire fighter and a pilot. I see on this island that there is room to put alternate roads. It is sorely needed. It was in the plans twenty (20) years ago. Twenty (20) years is here and it should be done. The other situation is at the Wailua Golf Course. I golf there quite a bit; I walk. The chickens are just too many. There are potholes all over the place and it is not safe to walk in Wailua along the tree line, which I do to stay out of danger. There are just holes all over the place because of the chickens. They are making it unsafe at Wailua Golf Course. I just hope you can put pressure on the State for this road situation here. It is sorely needed. Kapa'a is losing business because of it. Hanalei, by Mr. Moore back here, he testified yesterday of the problems in Hanalei with the roads. It is sorely needed for our infrastructure to be less than under pressure, because everything is stressed right now. At 4:00 p.m. I went out of town to go to the west side. It was a twenty-minute delay because of the road congestion just to head to the west side, and it is every day of the week. This is all from the heart. I do not have to read anything. It is just what I have seen and you folks know there is a need, right? Because you have to deal with it too.

Committee Chair Chock: Thank you. Hold on.

Councilmember Yukimura: Are you aware that we had the State Department of Transportation Engineer here and he said there may be a need and there was a plan for a bypass that is closer to Kapa'a. It is absolutely impossible to pay for it, six hundred million dollars (\$600,000,000). There is no way to get that money. It is not a solution if it is not feasible. Are you aware of that?

Mr. Baab: Yes, sure.

Councilmember Yukimura: Did you hear him?

Mr. Baab: No, I did not hear him.

Committee Chair Chock: Right, I do not want to have a discussion.

Mr. Baab: But that is the whole problem...this stupid rail system that is going in Honolulu, which is costing a billion.

Committee Chair Chock: Thank you for your testimony.

Mr. Baab: They are hogging all the money. It is about time they give money to us.

Committee Chair Chock: Thank you.

Mr. Sato: Next speaker is Don Heacock, representing Hawai'i Farmers Union United, followed by Ken Taylor.

DON HEACOCK: Good morning, Mr. Chairman, ladies and gentlemen of the Council. I sat in a Kaua'i Economic Development Board Meeting yesterday talking about improving irrigation systems. Like the IAL, which was extremely flawed, there is an old (inaudible) garbage in, garbage out. If you cannot address the most fertile soils and the most productive agricultural lands in the IAL, which we could not, which was the thirty-eight thousand (38,000) that were in taro production at the time of the Great Māhele, then we were severely handicapped. I know this because I sat on the IAL Technical Advisory Committee and it was almost a complete (inaudible). As the Hawaiian Farmers Union is affiliate and chartered member of the National Farmers Union. We promote sustainable agriculture and intergenerational family farms. We do not take corporate members, neither does the National Farmers Union. It was started in 1901. One of the things we can do that will improve employment, improve our environment, improve water quality is to help to restore instream flows. I know you are thinking, "Well that is the Commission of Water Resource Management's" responsibility, but it is also the County's responsibility, according Article 11, Section 3 and 7 of the State Constitution. If we restore instream flows into our rivers and streams as much as we can, that does not mean we need water from other things as well as agriculture, but if we restore those public trust waters to streams and restore even a moderate fraction of those thirty-eight thousand (38,000) acres of taro lands, we will create hundreds if not thousands of jobs, promote food security, improve water quality, because those taro fields are not just food production systems. They function as constructed wetlands, as detention basins. They trap sediment, lepto, they trap leaf litter, woody debris during floods. They are the kidneys of the watershed. We are underdoing mass kidney

failure throughout Kaua'i and actually throughout Hawai'i Nei because we have lost these systems. They are our Hawaiian brothers and sisters, if they could all speak today, would say, "Those are the most important agricultural lands on Kaua'i and in Hawai'i." Today and into the future, we need to protect those lands. They also provide excellent feeding and nesting habitat for endangered water birds. By restoring instream flows, we will increase water recharge in the lower watershed. Thank you.

Committee Chair Chock: Thank you.

Mr. Sato: Next speaker is Ken Taylor, followed by John Moore.

KEN TAYLOR: Good morning, Chair and Members of the Committee. Ken Taylor. First of all, I want to remind you that some time back I gave you a document talking about comments about sustainability, sprawl, and climate change. I requested that you remove all comments regarding sprawl from the document. If you elect not to do that, I would certainly like an explanation as to why you should not do it. Today, I passed out a paper that shows a gallon of coffee at one dollar (\$1) a cup, sixteen dollars (\$16) a gallon at three dollars fifty cents (\$3.50), fifty-six dollars (\$56) a gallon, so why would we pay so much for coffee and so little for gas, and then complain about the high price of gas. I raise these issues because if you truly want to get people out of their vehicles, as the General Plan calls for, you must eliminate free parking and add substantially to the gas tax, and put congestive management fees in place. We can solve our congestion problem only if we have the political will. If we want to work with the infrastructure that we have, or we can come up with millions of dollars needed to increase the infrastructure. As I have said, buildout of this plan, as-is, could cost taxpayers an additional five hundred and sixty-four dollars (\$564) in new taxes, that is on top of what they already pay. There should be no new development or increase in visitors until we come up with a plan to solve today's and tomorrow's congestion. Please do a cost analysis before you adopt this plan. The decisions you make today will be borne by the children of today and tomorrow. Do right by them. The time may be coming when Kaua'i may have to relocate because its current location has become too expensive. Wages versus rents or housing costs, land costs, construction costs, material costs, regulatory issues in capital constraints to name a few. We have gotten it all wrong by providing free housing for cars and very expensive housing for the people. Something has to happen and I am not asking you to accept my figures, I want you to have a cost analysis done on this plan so that we, all the people, will have an idea on what we are buying in to. Thank you.

Mr. Sato: Next speaker is John Moore, followed by Kathy Valier.

JOHN MOORE: *Aloha.* My name is John Moore and I am the Director of the Hawaiian Sustainability Foundation. I have been on Kaua'i fulltime for seventeen (17) years. I have been involved in policy development for over thirty (30) years. I just got back from two (2) month of touring Asia. I have been involved with the General Plan process for the last few years and I want to thank the County Councilmembers, the Planning Commission, and the Planning Department for answering my endless questions. I have been involved with transportation on Kaua'i for the past ten (10) years, meeting with DOT and County transportation, meeting with PMRF, and other agencies trying to get more people involved, and especially more federal government money flowing towards Kaua'i. My first conclusion upon coming back to Kaua'i is it is easy to know why we all love Kaua'i. The best testimony for the General Plan that I have heard, was not even on the General Plan, it was Russel the Rooster, yesterday. When Russel the Rooster came, every Councilmember and everybody in the audience immediately was reminded that we care about our children. We care about the future of Kaua'i for our children and for their children. I asked you...many of you I met before, but I have asked you to let us think about the long-term ramifications of our children and their children as we make decisions on transportation, as we make decisions on the amount of tourism here. The numbers that come up to me that the reason we need to shell the General Plan and rethink the whole thing is that our data was incorrect. The fundamental data about the future of Kaua'i is determined by the number of people on Kaua'i. As we found that the original one percent (1%) estimated growth of tourism was inaccurate and they have increased that number in their latest numbers that they just handed out, but as we found since 2010, there has been an annual increase of four percent (4%) per year in growth and tourism. This year the State group that does the numbers have said that it looks like a seven percent (7%) increase for 2017 and we all know the number of forty-two point six percent (42.6%) in the number of available seats for 2018 on the airlines. Those of you that have studied traffic before realized that it does not take a fifty percent (50%) increase or forty-two percent (42%) increase in cars to cause gridlock. Usually you already have crowded roads, a three percent (3%) to five percent (5%) increase in cars can cause total gridlock. So, hang on to our hats for 2018, because if we have a forty-two point six percent (42.6%) increase in visitors and people coming to the island, it is going to be very difficult. I am also listed as a resource for tourism, if you have any questions. I have been working for years with the communities, so the Community Coalition of Kaua'i is also participant. Thank you.

Committee Chair Chock: Thank you.

Mr. Sato: Next speaker is Kathy Valier, followed by Sharon Goodwin.

KATHY VALIER: Good morning. I think the Community Coalition has done a really good job on addressing the issue of economy and tourism,

and particular in agriculture. I am really glad to see Alan Carpenter here, because shared spaces was my concern and I think I have mentioned that before. I was concerned about the number of people forecasted to be allowed in the Hā'ena State Park Plan and the number of visitors we have and needing to have an interface and be working in the same direction. I am going to skip over those and go to Wahi Pana, cultural sites and resources. One thing that I would like to see...one of the goals or objectives for that is to perpetuate cultural practices through restoration, stewardship, and education. In partnership needs, the fourth need is to enhance the Hawaiian sense of place by promoting understanding of *moku* and *ahupua'a* land divisions. I would like to see it go farther than that. I would like to see it go deeper and I think the County could be an agent to help facilitate stewardship in *ahupua'a* and also to facilitate enforcement. In our *ahupua'a*, we have a problem now where after the *o'opu* rains, people are putting net across the river, because of course (inaudible) get a good price and then it is used for drugs. In the old days, that would have been something the *konohiki* would have been on top of, but we do not have that now. We really need people in *ahupua'a* to be looking after their areas and helping to facilitate enforcement. Also in that Sector, there is protecting exceptional trees and I would like to see that expanded just to protect Native trees and try...I just watch every day as I drive along and see *ohia* trees along the road on the North Shore being overwhelmed by invasive. Albizia is taking over and guinea grass, it would be really nice if people in their *ahupua'a* could be encouraged to work on tackling these issues. I just would like to see that happen. Thank you very much. Yes?

Councilmember Yukimura: Kathy, how do you know the people who put up *o'opu* nets are using it for drugs?

Ms. Valier: If you tie...

Councilmember Yukimura: Is that what you said?

Ms. Valier: Yes, that is what I said and if you talk to people who are in enforcement and who are in the drug vice, yes.

Councilmember Yukimura: It is everybody who does those nets?

Ms. Valier: First of all, nets across the river are illegal and if you are doing it at 1:00 a.m., and you know the Hawai'i Division of Conservation and Resources Enforcement (DOCARE) goes off-duty at midnight, yes, it is pretty...yes, and they are bringing in their nets in at 4:00 a.m. to 5:00 a.m. in the morning.

Councilmember Yukimura: I see. Excuse my ignorance. I did not realize it was illegal.

Ms. Valier: It is conjectured, but substantiated in my mind by what I have talked to people about.

Councilmember Yukimura: Thank you.

Council Chair Rapozo: Quick question. Has anyone been arrested?

Ms. Valier: I do not know.

Council Chair Rapozo: You said you called DOCARE, right?

Ms. Valier: Yes. I think it is pretty hard to get them there if the net is in the water. Those people are not necessarily around.

Council Chair Rapozo: It is not hard at all, you just put somebody there and wait for them to pick up the net. It is not about "hard", it is just whether or not they are willing to do it.

Ms. Valier: You would know more. I have never followed up to ask.

Council Chair Rapozo: If it is happening like that and if enforcement people are telling you that they are using the *o'opu* to buy drugs, I would think it would be a priority to put two (2) men there at night, because somebody has to pick it up.

Ms. Valier: Yes, I agree.

Council Chair Rapozo: I guess that is the question we can ask DLNR. Staff can send something over. Which stream are you talking about?

Ms. Valier: Wainiha.

Council Chair Rapozo: Wainiha.

Ms. Valier: Yes, but I paddled up Lumaha'i in a kayak and have seen a net across there too.

Council Chair Rapozo: I do not doubt that is happening. I am just curious as to why DLNR has not arrested anyone.

Ms. Valier: Well, I know one thing. They are pretty stressed or stretched, DOCARE is, trying to cover all the stuff that they do and I know they are underfunded, but they have come out.

Council Chair Rapozo: That is a horrible excuse for DLNR to use if...

Ms. Valier: But they have come out and they have...you know.

Council Chair Rapozo: Witnessed the net?

Ms. Valier: Taken the nets out of the river.

Council Chair Rapozo: But that is...yeah...

Ms. Valier: That is as far as I have taken it.

Council Chair Rapozo: We will follow-up. Thank you.

Mr. Sato: Next speaker is Sharon Goodwin, representing Another Water Warrior, followed by Tim Kallai.

SHARON GOODWIN: Good morning, Chair, Councilmembers, Staff. On October 31st, Halloween Day.

Councilmember Yukimura: Name.

Ms. Goodwin: For the record, Sharon Goodwin, Wailua Homesteads. October 31st, many people were in costume going trick-or-treating, a good time here. I spent part of my afternoon before the Board of KIUC; they were all present, including President TenBruggencate, CEO Bissell, and I stressed to them that they were working outside of the environmental laws. They have never gotten a Conservation District Use Permit and the reason they need to is because the Blue Hole diversion falls on State conversation land and it is even in the protected zone and the resource subzone. They need to do this. I repeated this to them, I think eight (8) times. I told them that the reason they were out of the law is because they all got their original month-to-month revocable permit and it was under HRS 171-58. We all need to know HRS 171-58, which requires a Conservation District Use Permit and an EIS. Now, I want to put the word out to every person here who is a co-op member of which I am one. I think that sitting before me are some members of the KIUC co-op, yes? Tell them. You need to tell them that you want them to be within the law. I do not want to be member of the co-op that is lawless. No. I want my utility to be compliant with all federal, state, and county laws. I want to challenge KIUC to apply today to begin completing the Conservation District Use Permit and to start an EIS today, if possible. I want to put the word out to every teacher who teaches. Get those kids who can write a letter to challenge KIUC. You can go to their next meeting; their next board meeting is November 28th at 1:00 p.m.

Committee Chair Chock: Thank you.

Ms. Goodwin: You can write them a letter. You can do a lot of things.

Councilmember Yukimura: Sharon, I have a question. I am not sure how what you are saying relates to the General Plan Update.

Ms. Goodwin: Well, how it relates to the General Plan Update is that without this Conversation District Use Permit and outside of the law, there are diverting waters. They are diverting a lot of water. That water is going to decide on how we plan for development. Let us get an EIS and a Conservation District Use Permit, so that the waters can be clearly defined where they are coming from, where they are going, and how do we plan to develop depending on where those waters are.

Councilmember Yukimura: Okay, so the development is based on potable water. I guess some of the diversion is going to the surface water treatment plant, is that what you are saying?

Ms. Goodwin: Yes.

Councilmember Yukimura: And you feel that that should stop?

Ms. Goodwin: That is not for me to judge.

Councilmember Yukimura: Okay. I am just trying to understand your position.

Ms. Goodwin: There needs to be a water management plan. There needs to be a critical habitat study. There needs to be all these things that KIUC is not doing and the public should know what they are not doing and when the proper permits are done, the public needs to know what our utility is doing to make sure that we are all moving forward correctly.

Councilmember Yukimura: Okay, thank you.

Committee Chair Chock: Thank you.

Mr. Sato: Next speaker is Tim Kallai, followed by Hope Kallai.

TIM KALLAI: Tim Kallai, for the record. First and foremost, I want to start off by thanking you folks for this process. I think that it has been crucial, critical, that you have included the general public to respond as best as we can to the conditions and the things that you have set forth to trying to make our community, that is the island of Kaua'i, a great place to live in. With that said, the focus that we are looking at, I think the *mana'o* that you folks were looking towards is how do we reach a place where we are sustainable and resilient at the same time. Growth has been inevitable. It is on the increase and will continue to be as such. How we monitor that and how we maintain an aspect of quality of life, I think, is what this plan should try to encompass with what we are doing. With that being said, we know that the State has mandated that each particular County throughout the State of Hawai'i set forth a plan to reach a point of sustainability. Now, what does sustainability mean? Well, when I look back in the days of *kahiko*, they had close to maybe forty thousand acres of *lo'i* in production. To this day, we maybe have what, one/one thousandths (1/1,000) of that in production. Back then, they were sustainable. They did not have to import anything to produce that kind of food. Their population based on this particular island was may be twice as much as what we now currently have. To me, that is sustainable. Are we doing the same? Seventy percent (70%) of our agriculture on this island at this point in time is dedicated to creating GMO crop seeds and also utilizing trees for biofuels. I do not know about you, but I do not eat GMO seeds and I do not eat trees. Is that sustainable? Where are we going with this in the future is once again what we have to look at. Our children, as other folks have come up and tried to talk about our future -- what is our future? How are we looking at this and through what eyes? Is it just for tomorrow? Is it a decade or maybe two decades from now? Is it generationally speaking? These are things that, once again that I applaud that we are going through the process and really want to commend the hard work that has gone into this plan, but there are a lot of *puka* and a lot of misinformation and things that need to be brought current. I think a lot of the statistics and the analytical studies and things that have been put there are misrepresented at this point in time. So with that in mind, really scrutinize it, because we have to have something solid for the future. *Mahalo*.

Councilmember Yukimura: Question.

Committee Chair Chock: Councilmember Yukimura, clarifying question.

Councilmember Yukimura: Tim, you were saying seventy percent (70%) of...is it all ag lands or all lands on Kaua'i are for GMO and bioenergy?

Mr. Kallai: Not all lands on Kaua'i, by no means, no. I am just saying what is ag land productions right now and what is out there, I think seventy percent (70%) of that is pretty much just dedicated towards that and not food production and I do not see that as being sustainable.

Councilmember Yukimura: I do not either. Thank you.

Mr. Sato: Next speaker is Hope Kallai, followed by Elsie Godbey.

HOPE KALLAI: Good morning, Hope Kallai. Following up on Tim's agriculture talk, the Coalition presented you folks some papers yesterday that there were some questions about the amount of dedicated ag lands. Those figures, if you folks still have them and I do not know if we can put it up, but that was from 2015. That was the latest that the Department of Agriculture has. The IAL maps on there are the latest that is up on the GEO portal on the State's ArcGIS. It is all available and Councilmember Yukimura, we can put it on a topo real easy. You just overlay it on a topo rather than a base map, so that is way easy to do. We can do that. The big concern is that there were twenty thousand (20,000) acres of IAL added last year. My concern is the fifteen percent (15%) urban entitlement of those lands. We are way out of whack, if that is going to happen. I believe it can happen at a future date just as farm work housing on those important ag lands can happen later. Right now, if those important ag lands use their fifteen percent (15%) entitlements, we got to come up with fifty-four hundred (5,400) acres more of urban land. Where are we going to get the water? This is not considered in this plan and in our future at all, this fifteen percent (15%) entitlement. So, we really have to look at this. I am really concerned on important ag lands about who own them and that there is no small folks, it is only Grove Farm, A&B, Robinson, and Bishop Estates. As was presented by the Department of Agriculture on their pie map that is in the General Plan Update, we are leading the State in seed corn production. The Hawai'i State Constitution has agriculture self-sufficiency, I guess we did not know the word sustainability in 1978, but if we keep going down seed corn and biofuel timber, we are going to be starving on this island and all of our water is going to be going for commoditization of our agricultural land. That was just a brief explanation of those things that were given out. Really, I wanted to go to Heritage. I got three (3) points that were kind of included in the coalitions amendments yesterday and it was about protecting *kuleana* lands and we would like the presence of *kuleana* to be listed on the Land Use Maps as plantation camps are. *Kuleana* can be mapped really easily. I have a presentation that I can leave with you about how we can make a map overly of our existing database.

Committee Chair Chock: Hope, we have the amendments as well and so we will be going over and the Heritage Section for those amendments as well.

Ms. Kallai: Okay, but this is not in here, so I will leave my testimony with you. We have to stop the relocation of *kuleana* and help streamline the tax dedication for *kuleana* landholders. I think there is only a dozen or so folks. I also want to see *lo'i* lands included as a landform on our Land Use Maps, because it

can tell a lot about past history and future rain events and where the water is going to go. The last one was about, the Ala Loa trail. It needs recognition and if the State is not going to recognize it, secure it, maintain it, the County should take over.

Committee Chair Chock: Okay.

Councilmember Yukimura: I have a question. Hope, do you feel there is no place ag lands for biofuels?

Ms. Kallai: No, not at all.

Councilmember Yukimura: But we are dedicating that much land to biofuels in lieu of food. Like Tim said, we had almost forty thousand acres of *lo'i* and now we have four hundred. We lead the State that is pathetic.

Councilmember Yukimura: Yes, several decades ago, the State did an ag land classification of unique ag lands and they should have fed into the IAL study, I do not know whether they have or not, but certainly the taro lands, which are considered unique ag lands should be recognized.

Ms. Kallai: Well, when they made the IALs, the lands had to be in production then, they had to have good soils, and they had to have water at the time. So if any of those conditions were not met, they were not considered. Really, there is no place for mom and pop IALs and to every farmer, their land is important to ag land. You know, you will not tell me that my land is not important.

Committee Chair Chock: Okay. I want to keep our meeting to where we need to keep it and our public testimony where we need to. Thank you very much.

Mr. Sato: Our last registered speaker is Elsie Godbey.

ELSIE GODBEY: My name is Elsie Godbey. I keep bringing up this book all the time, but if you even read it, you will find out a lot of things about this...

Councilmember Yukimura: What is the name of the book?

Ms. Godbey: Does the County not have this?

Councilmember Yukimura: I have it.

Ms. Godbey: Because every place I go, they said, "oh," they do not seem to know about it.

Councilmember Yukimura: Elsie, read the name because the audience cannot see you.

Ms. Godbey: Hanapēpē Town Core Economic Revitalization Program. It mentions the master plan of 1940 for Hanapēpē. We do not need to reinvent the wheel for Hanapēpē, at least, and it has all the buildings that were destroyed by DLNR. We have the original models of the buildings and I wish we could have them recovered. Another thing is when you have population explosion, how can you keep on having housing for everybody that lives in Kauaʻi. I do not know how you are going to solve that problem if you want to provide housing for everybody that is here and coming. At one time when...I cannot remember his first name, but Harris was on the Council and I think he became...

Committee Chair Chock: Jeremy.

Ms. Godbey: Jeremy. I think he became Mayor of Honolulu. Anyway, he came here afterwards maybe and he said well maybe a national park for the entire island of Kauaʻi would be solving our problem in "keeping Kauaʻi, Kauaʻi." Of course you are going to have a lot of disagreements, but at least I think we should have a national park of the Napali Coast to Kōkeʻe because I think that is one that we got to save, Napali Coast, especially. Another one is Salt Pond. I mean, you cannot have a helicopter port and you cannot run over the salt pans, which they already have to put that runway. I think that entire peninsula there should be turned over to the salt pond organization and have them take care of that peninsula. That is all. You do have copies right? Please read it. You will see a good general idea of preservation. Oh, and I think Hanapēpē Town should...it is on the verge of being registered to the Historic Registered or maybe it already is and I think the entire town should be on the register.

Councilmember Yukimura: Elsie, you live in old Hanapēpē Town?

Ms. Godbey: I used to.

Councilmember Yukimura: You do not now?

Ms. Godbey: I was born and raised there.

Councilmember Yukimura: Most of that land in the old Hanapēpē Town or much of is owned by the State, right?

Ms. Godbey: Yes.

Councilmember Yukimura: And I believe part of the vision in that economic development plan is restoration of historic buildings for modern uses. When

you were growing up in Hanapēpē Town, I wish Councilmember Kagawa was here, and it was a much more vibrant town, it is coming back, but they had people living in the town as well as businesses. Did they not?

Ms. Godbey: Yes.

Councilmember Yukimura: So, that is a potential vision for Hanapēpē Town as well. Restoring the historic buildings and using it...

Ms. Godbey: Yes, restoring the historic building.

Councilmember Yukimura: And using them for...or building in the same motif of that generic building.

Ms. Godbey: There are some buildings here that are described that the architect really detailed plans of some of the buildings that were destroyed and they should not have been. Especially the Yakasa Tailor Shop. We wanted to save that building and have a museum, maybe.

Councilmember Yukimura: So, actually the detailed work could be the basis of guidelines for rebuilding in the town, I think.

Ms. Godbey: Sure.

Councilmember Yukimura: Okay, thank you.

Committee Chair Chock: Thank you so much. Next. Would anyone like to testify who has not had a chance to testify yet? Ned.

NED WHITLOCK: Hello, I am Ned Whitlock. Full-time farmer. Sorry I have come late to this process, but just looking at the drafts on the agriculture subsection, number 8 is revised agricultural property tax regime including, but not limited to, agricultural dedication program to increase food production. As I understand it, in the classifications for taxes, the grazing lands are probably the least expensive for the landowner. I would propose that groves of fruit trees or coconuts, or long-term plants be either included in that category or grazing lands be made more expensive. In my mind, when it is cheap to hold on to large acreages by just putting a fence around it and running some cows in there, which probably takes the least amount of management...basically it ties up large amounts of land for a long time at a cheap price. If these were coconut groves, mango groves, lemon groves, lime groves...whatever, if you can get trees started with enough water and they are viable, it would be a bigger multiplier for the local economy. One other thing that I noticed in here, earlier drafts said, "...require preservation of viable irrigation systems, both government-owned and privately-owned." That was changed to "...acquire and make

available to public trust purposes viable irrigation systems to support supply of non-potable irrigation water.” It would be great to hold onto what we got right now. Perhaps in the future, the funds will be available for taking over these systems. It is a tragedy to just let these systems collapse or let landowners push them in or whatever, without regard for the future. Those are just some comments that I had after my brief look at this thing.

Committee Chair Chock: Ned, I had a clarification. You talked about groves of fruit trees and so forth. You would like to see that in the same designation or category as grazing lands? Is that correct?

Mr. Whitlock: Well, I think it is unfair that grazing lands...get by cheaper than the grove, basically.

Committee Chair Chock: And you are saying to either make them the same or...

Mr. Whitlock: Yes, either make them the same or...my perspective is, we are dealing with a monopolistic land system here where big guys have most of it and it is hard to get in there. It is all so expensive. Part of the reason is, it is easy to hold onto large acreages for a long time doing not much.

Committee Chair Chock: Thank you. Clarification, go ahead.

Councilmember Yukimura: Chair, Ned is a farmer. I want to ask him a few questions to establish his authority as a farmer, if you may.

Committee Chair Chock: We can come back to agriculture if we need him in the discussion. I do not want to expand on the public testimony.

Councilmember Yukimura: If he can stay...

Committee Chair Chock: If he can stay, that would be good. Ned would you be able to stay? We are going into more questions and answers at this time, so as long as you can stay, that would be great.

Mr. Whitlock: Sure.

Councilmember Yukimura: He is a real farmer who actually produces.

Committee Chair Chock: Sure, I understand. We have already gone through the agriculture section, but let me go through public testimony, please.

Mr. Whitlock: Yes, thank you.

Committee Chair Chock: Anyone else to testify? Please, come up.

JOSEPH DUNSMOORE: I am Joseph Dunsmoore. I am a farmer, consultant, I teach soils, and have been on Kaua'i for twenty (20) years. I would like to share a little bit of vision with you all. I guess the vision is when the first Caucasian settlers came to Hawai'i, they saw a lot of agriculture. That was agriculture where there was water and those I would call important ag lands. They saw potential to grow on all these lands that were not used because it did not have water, so they changed the water and now they had big, big acreages of lands to grow sugarcane and pineapple on. That is where it evolved today to where we have these big pieces of lands that are in cattle or in different seeds or whatever, but they are not anything available for people. There are not places like ag parks or places like that for farmers or people to live. I want you to know there is a quote in agriculture, which is, "They grow food where they do not pay people," and you will see that in a lot of North America agriculture. They moved to Asia, they moved to Mexico, they moved to the Caribbean, and they moved out of places where they had to pay people. We are in a place here in Kaua'i where we are trying to grow food and survive economically in agriculture with all the expenses of living a regular life trying to grow food and make a profit and have to pay people. It is almost impossible, if you can imagine if you go into a Farmers Market and making a couple hundred dollars or four hundred dollars a week, that you are going to pay somebody a living wage. Without a living wage, how is it going to work? How can there ever be a sustainability that people are forced to hide in bushes and live illegally? Again, see the vision of what can be created on a garden island. Have some vision on that. Okay, so you are an ag worker and when you are bad, you have to do ag, so now you are an ag worker, so now you get to live in a tiny home with wheels. Now, you cannot be any kind of permanent, you are definitely a transient ag worker. It is like, why do you want to be an ag worker when you can work in the hotel industry because it is so much more glamorous. My children went to the Lihu'e school system and they were embarrassed that their father was in agriculture. They refused to do agriculture work because none of their friends had to do agriculture work. I am like, "I am going to spank you if you do not help," and they say, "Well, we will call the police." That is my red light. I would only like to have you to open up to know that a twenty-year plan is about a vision of your culture and your agriculture. Thank you.

Committee Chair Chock: Would anyone else like to testify who have not had a chance to yet?

GREG CROWE: My name is Greg Crowe and I have also been a resource person in other sectors, but I really want to talk today...first I was going to do something about the combination on agriculture and economy, two (2) of the topics we have up now, but they really overlap. It is an agricultural economy that needs to be addressed and I think that is one of the problems in the General Plan.

Many of these independent aspects are not taking as a comprehensive approach, but many other people have already testified on some of the solutions that could be added as amendments to the General Plan. So, I would like to go back to a couple comments that were made yesterday by both Council Chair Rapozo and Councilmember Kawakami that I thought were particularly insightful. Hopefully, I am paraphrase them correctly here, so Council Chair Rapozo, you are here, please correct me if I am wrong, and Councilmember Kawakami, you are not here, so...

Council Chair Rapozo: I will.

Mr. Crowe: I am sure you will. I will start with Councilmember Kawakami, since he is not here. He asked, "Do we have sincerity in wanting a rural character and lifestyle here in Kaua'i or not, because we have not been the (inaudible) to really make that happen and I do not see it reflected in the General Plan." Council Chair Rapozo, you asked, "Why are we even waiting on the General Plan to take action on urgent matters?" I think is an important question for the Council to address in general, but particularly to look at the General Plan helping and determine what those actions should be. I agree with both of those questions and what I would also suggest is that the County Council more fully utilize the experts in the Planning Department by mandating that they come up with specific strategies and priorities in the General Plan as is authorized and I think even required by the HRS, if I have my number correctly, it is 226-58, which authorizes and requires General Plan updates. It specifically calls out that a General Plan should include priorities and strategies to achieve the objectives. I see that not really called out in our existing General Plan and we need an amendment to make to happen, perhaps again, I think the experts in the Planning Department are wonderful. I have had great conversations with them. Council Chair Rapozo, you recently had some of those triggered and you were working on those, so thank you very much, and to the Planning Department who is working with me on that. I would suggest then in that being more specific that have the Planning Department come up with the top ten (10) and top twenty-five (25) actions for this County Council to review and then implement to solve the priority concerns of the vast majority of residents on this island. Many of which are in the General Plan Update, but there are risk of being lost among too many good ideas without any well-reasoned priority list. I see my time is about to run out here, so I will skip down and say, we can proactively move us to a better future with a comprehensive plan that balances the needs of our present and future with the resource that are available. We can have a better future if we both plan well and take effective action. Thank you.

Committee Chair Chock: Thank you. Would anyone else like to testify at this time? Going once, going twice. We will call this meeting back to order.

The meeting was called back to order, and proceeded as follows:

Committee Chair Chock: As mentioned previously, we do have some representatives from the State, from Honolulu, that need to go back on the 11:00 a.m. flight. I think it is Mr. Carpenter and you also have someone else with you here. I would like to ask Councilmembers if we can get to questions and answers period for them before they have to leave. If you have any questions for Parks or the Heritage Section as it would apply to the General Plan, now is the time.

Council Chair Rapozo: For the State?

Committee Chair Chock: Yes, for the State. Let us get any questions for them or with them out of the way. Of course, this would be with some of the testimony as it relates to...hold on...

Councilmember Yukimura: I wanted to get some materials...

Committee Chair Chock: I am sorry, you cannot leave, but bring the question up anyway. I want to ask you folks to come up.

There being no objections, the rules were suspended.

Committee Chair Chock: Let me just start off by just asking broadly, in terms of the work that is happening with the Hā'ena Master Plan, where the integration with this General Plan and the County's role has and is? Lenny is here as well

ALAN B. CARPENTER, State Parks Assistant Administrator: Chair Rapozo and Councilmembers, thank you for accommodating my schedule today. I am Alan Carpenter, Assistant Administrator at the Hawai'i State Parks Division. I have worked in State Parks for twenty-seven (27) years, but I have been in Administration for a year and a half, so I do have a pretty deep history and connection with the parks on Kaua'i, in particular. We have about fifty percent (50%) of our parks acreage here, so I very much appreciate that the plan acknowledges the importance of State parks, both for the visitor industry, who utilizes it or some might call it exploits iconic images of Na Pali, Waimea Canyon, and Kōke'e to bring visitors here and then we have to deal with the impacts that they bring to the resources and to local communities. I would like to address what the...what was it, three (3) testifiers ago suggested that if Na Pali and Kōke'e became National Parks, boy, would my job be a lot easier. For Hā'ena, we have been on a ten-year odyssey to working on the master plan. We have worked with the community. We have a community advisory committee who has advised us and who have worked with us throughout. We have had a number of public forums to take input, and based on that, the most recent one which is fairly (inaudible) in late 2015, we went back to the drawing board and we revised the plan, mostly constricting the footprint of development. We are in acknowledgement of the sort of the crushing numbers of people that are now visiting our parks and the

bottleneck that exists at the end of the road at Hā'ena. The plan proposes for the first time in any park in Hawai'i a visitor limit. Those are fairly new and important aspects to this plan and I think that is an acknowledgment of the inability to accommodate the numbers of people that are there and their impacts to the surrounding community. A plan of course is just a plan. It is an entitlement document. It is one course of action. We still have to interface with the County for permitting as we move forward and we are of course seeking the funding to implement aspects of the plan. We recently had...I was able to host, along with some staff members and community members, folks with Hui Maka'ainana o Makana, our stewardship group at Hā'ena, the House Finance Committee, and they were very receptive and understanding of the issues out there. I hope that will pay dividends in terms of them providing funding for us to implement. The plan is essentially complete, but the EIS is not. The EIS has to be revised based on the master plan revisions. We do anticipate going to the Board of Natural Resources in the imminent future and we expect that to happen not the end of this year, but early next year.

Committee Chair Chock: Thank you. We have a question here. Council Chair Rapozo.

Council Chair Rapozo: Thank you very much for being here. I heard you say you have been an Administrator for a year and a half.

Mr. Carpenter: Correct.

Council Chair Rapozo: But you did say you were here in 2015 to host the House Finance Committee.

Mr. Carpenter: No, that just happened. That was just a couple months ago.

Council Chair Rapozo: So, you were on-island and got to see your facilities at Hā'ena.

Mr. Carpenter: I have been working at Hā'ena for all of my career. I did the archeological survey that paved the way for the *lo'i* restoration working with the Hui, way back from their infancy.

Council Chair Rapozo: You work here on Kaua'i?

Mr. Carpenter: Sometimes I feel like I work on Kaua'i, but I am based on O'ahu. I probably have spent nearly two (2) years' worth of nights on this island throughout that twenty-seven (27) year career, so I am intimately familiar with the parks and resources over here.

Council Chair Rapozo: Even Opaeka'a Falls and the facilities up in Kōke'e.

Mr. Carpenter: Correct.

Council Chair Rapozo: I know we are talking about Hā'ena right now, but you would agree that the facilities need work in all.

Mr. Carpenter: The facilities need work across the board, absolutely.

Council Chair Rapozo: I just want to make sure that that is cleared. I know Hā'ena is bad, but Kōke'e.

Mr. Carpenter: Hā'ena is an extreme example. Everywhere needs help and our relatively new Administrator is really trying to foster quality relationships with the folks across the street from us in Honolulu. I think they are beginning to understand that there is a disparity in the amount of funding that goes to HTA to advertise the State versus what DLNR State Parks gets to manage the places that everyone is coming to visit. I am hopeful that there will be progress in that realm, but there are two (2) aspects to that. The capital improvements is one and the second is our sort of historic lack of capacity to manage on the ground, so people. What we really lack that all other park systems have is rangers. The class of rangers and people who are actually interfacing with the public. We host five hundred thousand (500,000) visitors a year, they come to Kōke'e, Na Pali, and they are very, very unlikely to ever run into any State Parks employee to give them any sort of guidance, provide safety measures, and that sort of thing. So, those two (2) things need to go hand-in-hand, so we are pushing very hard for that. We have asked for a fairly significant number of new positions in the current budget and a lot of those are for Hā'ena, Na Pali, and we are cautiously optimistic that we will...we will not get everything we asked for, but we will get something.

Council Chair Rapozo: I guess for me and I think I mentioned a little bit about this yesterday as far as the County, but what is really important to me is having toilet paper in the bathroom. I know safety is the key issue, we have to provide that, but for the visitor experience and for the residents as well, when you walk into a public bathroom whether it is County, State, or Federal, you would expect that at least that. I do not know how you get that message across the legislature, but that is critical.

Mr. Carpenter: That is very critical. I would actually add that in addition to having toilet paper in the toilet, we have composting toilets on the Coast that do not have compost.

Council Chair Rapozo: And again, I know we are talking about Hā'ena right now, but this is beyond Hā'ena. We have the falls and Kōke'e as well. You have people driving an hour and they finally get to a bathroom, "yes", and then no toilet paper. I am being real because that is a real issue that you know that is what I hear from the constituents. Like I said, safety, we have to provide.

Mr. Carpenter: Absolutely, yes.

Council Chair Rapozo: But can you imagine driving up Denali in Alaska and get there and "Oh, no, I cannot use the bathroom." What do you do? The other thing is real quick you talked about limiting the numbers into Kē'e.

Mr. Carpenter: Correct.

Council Chair Rapozo: Is it a gate?

Mr. Carpenter: There will be a gate and so it will not work without some parking control measures. In fact, the real goal is to eliminate the crowding and the backup at the end of the road, so it will probably going to involve an advance purchase system. Of course, the fee would only apply to visitors and the residents will be free. Residents are not visiting in the kind of numbers that create the problem, so most likely...what we do not want is people to drive to the park and you cannot get in that day, so the plan now is to have an advance...you do not go unless you have that ticket. Just like right now, you do not hike down Hanakāpī'ai Trail if you do not have a permit, so you would know before you got there whether you can get into the park that day.

Council Chair Rapozo: Then the State would obviously provide enforcement for that activity?

Mr. Carpenter: The State or a management entity that we contract out. We are having a hard time getting positions, but we have the ability to enter into lease and management agreements. We have done that for a number of park areas, mostly on O'ahu, but the master plan calls for a preferred option of having a community-based management entity. Now, whether they would do all aspects of park management or just sort of education and interpretation, the parking itself could be managed by someone whose expertise is in that realm, but it is unlikely to be State Parks. We would like to do the resource management, have the rangers, have the educational staff, we do not need to be the ticket-takers, necessarily.

Council Chair Rapozo: Yes, and I am hoping that it does not fall with the County police either. The last question, real quick.

Mr. Carpenter: Okay.

Council Chair Rapozo: You mentioned EIS. What would be the trigger? What is the requirement for the EIS? Would putting up a gate trigger an EIS?

Mr. Carpenter: It is the entire plan, right, so it includes some moderate development.

Council Chair Rapozo: Okay.

Mr. Carpenter: It has a visitor welcome station, more like a hotel. It has additional restrooms, the current restrooms are too close to the dune, so the effluent goes into sensitive cultural areas. We would like to pull that back to less sensitive areas and defer some of the human waste issues to areas that are more able to handle it. The parking area will be improved. There will be a turnaround and there will also be an alternate pedestrian route that does not utilize the existing Kūhiō Highway because it is a rock fall hazard zone, which was actually accentuated greatly by the recent fire, which allowed a whole lot of previously loose, but held in place rocks...when the fire went through, the rocks fell. The rocks fairly prolifically in the wake of that fire. It illustrated the point that the rock fall engineers had already...

Council Chair Rapozo: Not a good idea to be riding a bike along that...

Mr. Carpenter: Correct.

Council Chair Rapozo: Thank you very much.

Committee Chair Chock: I have a follow-up. I think for me it is how does the State's *kuleana* and State Parks really see the County interfacing and the needs for...as it relates to this General Plan, how can we best prepare and support?

Mr. Carpenter: It would be through the...I would not ask you folks to streamline our approvals, but the things that are going to...

Council Chair Rapozo: Be honest.

Mr. Carpenter: ...help us move forward, we are going to need the SMA permits. We have to go through the Kaua'i Historic Preservation Review Commission, things like that that are part of the County process for us to move forward. We do not just get to build what we want, we have to come to you folks for SMAs, building permits, in some cases, and things like that. I mean just recognizing that these are mutually compatible goals for the entire island.

Committee Chair Chock: I guess my question was more around as it relates to the big vision in trying to accomplish. Where do you see the County's role in being a player in supporting that you folks are setting? You have heard most of the testimony that came through and a lot of it are State-related.

Mr. Carpenter: Yes.

Committee Chair Chock: I think there is a disconnect and obviously manpower is an issue. We cannot get enough officers out there to help us in the streams and everywhere else.

Mr. Carpenter: Sure.

Committee Chair Chock: We need some solutions and we need to get them into this book.

Mr. Carpenter: Agreed. I do not want to speak for DOCARE. That is not my division, but I would suggest that a better collaboration between enforcement agencies would help us because we do have enforcement issues that are often times fairly significant in our places. We have not talked about it, but the proposed bridge at Hanakāpī'ai Stream would, I think, alleviate a lot of the County's burden of having constantly rescue people who do not need rescuing, because they are trapped by flood waters. As you point out...

Council Chair Rapozo: Is that really the County's burden?

Mr. Carpenter: They bear it.

Council Chair Rapozo: I know that, but whose burden is it and this is not meant for you as the Parks person, but whose burden really is it?

Mr. Carpenter: The County's first responders, search and rescue, were very strong advocates. They came to us with this idea and we are supporting it because we are trying to be collaborative and helpful. We do not serve that function, just like we do not have State lifeguards, right? So, we contract with the Counties and we contract with Kaua'i County to provide lifeguard service at Kē'e as well, simply because we do not have the capacity. In that case, the State pays for that service.

Council Chair Rapozo: For the lifeguards.

Mr. Carpenter: Correct.

Council Chair Rapozo: But not for the rescues.

Mr. Carpenter: Not for the rescues.

Committee Chair Chock: Are there any other questions?
Councilmember Yukimura.

Councilmember Yukimura: Thank you so much for being here. I just want to acknowledge upfront that I have this personal request, but we will do that offline.

Mr. Carpenter: Right. We have discussed it, you and I, I know, yes.

Councilmember Yukimura: I have sent it for our constituents. I am very grateful to DLNR, in particularly your division, for grabbing the bull by the horns and really developing a good management plan for Hā'ena State Park.

Mr. Carpenter: Thank you.

Councilmember Yukimura: I think you are dealing with a microcosm of what we are dealing with for the island. You are having to recognize the limits of numbers or visitors based on resource projection. Am I correct?

Mr. Carpenter: Correct. I would add to that, not just resource protection, but I think quality of experience.

Councilmember Yukimura: Yes.

Mr. Carpenter: So, you want people to have a good experience and if they cannot find a parking space or if they have to go shoulder to shoulder with everybody else, that is not what was advertised, right?

Councilmember Yukimura: What happens to you at the State park and at the other State parks whether it is Kōke'e or elsewhere in terms of the protecting that experience as well as the resource is really affected by the number of resort units we have on this island, is it not?

Mr. Carpenter: It absolutely is. The total number of people who land at Līhu'e airport affects the experience in the parks where they all want to go.

Councilmember Yukimura: And so if you have this reservation system...and what is the numbers you estimate now that you have going there daily and what is the limit that you are going to be setting?

Mr. Carpenter: We recorded over two thousand visitors a day at Hā'ena, Na Pali. That is the highest we have recorded. We are proposing a nine hundred (900) person a day limit.

Councilmember Yukimura: So, less than half of the highest.

Mr. Carpenter: Of the maximum, right. We do not have really good stats. We are going to be working with HTA to upgrade the data for the park visitation Statewide. We have not done it in ten (10) years and we know it has increased and in some areas it has increased exponentially, but we do not have the hard numbers right now.

Councilmember Yukimura: That is good that you are pursuing data because that is the strong sense I get throughout this General Plan Update having good data is really critical to good planning.

Mr. Carpenter: Yes, we need it. I wish we had it already, but...

Councilmember Yukimura: Well, good that you are starting it or revving it up. So, if a visitor comes and they are staying here a week and they try to get into your park and they cannot get...I mean what is that going to do to their experience?

Mr. Carpenter: Exactly. These are the tough choices we have to make. Do you let two thousand (2,000) people have a crummy experience or do you let nine hundred (900) people have a quality experience? I do believe that most people are used to having to do this type of thing. Most people are used to entry fees, if they come from other areas. When I travel to the mainland, all my arrangements...I am a parks person, I am always in the parks. I have been to places where there are limits where you cannot drive; you have to take shuttles to places like Zion National Park and places like Yosemite National Park. I would not be able to visit if I did not make my plans in advance and I think everybody is kind of used to that. Now, just looking at the raw numbers, you think, "Well, there is going to be more people that will be turned away and they are not going to be able to get that experience on that trip."

Councilmember Yukimura: Well, especially if we are looking at...what we found out is we have zoning for seven thousand (7,000) more units and we have eight hundred (800)...no....three thousand seven hundred (3,700), sorry. Yes, three thousand seven hundred (3,700), which is almost half, a fifty percent (50%) increase on what we have now. So, if we are going to be turning people away with the existing numbers, the increase will be crazy and I think in a lot of the parks you go to on the mainland, you do have to buy tickets or entry fees, but how many actually require reservations?

Mr. Carpenter: It depends. Most of them do for any sort of overnight usage and some do for certain daytime use. They will typically let you in the gate, but you may not be able to do all the activities that you would like to.

Councilmember Yukimura: Thank you. Remember, they have a lot more land, right, there is open space, and if you just look at on this island, two (2) examples, both heavily visited. Kōke'e and Waimea Canyon can handle far more people because there are dozens of trails that people can hike and there is a museum, lodging, multiple overlooks, bathrooms all over the place, but Hā'ena is a different story because it only has one. Everybody goes on one trail. It is the same issue we have with Diamond Head on O'ahu where everybody is going on one trail and we have three thousand (3,000) people a day on that trail and it is only a mile long.

Councilmember Yukimura: Yes, although I personally experienced what the Chair described as I came down from Waimea Canyon...I retreated in Kōke'e and I tried to use the bathroom not only was there a long line, but none of the toilets flushed. I ended up driving all the way down to Waimea Town and I could not...I mean, I had to use the bathroom. It was wild trip.

Mr. Carpenter: These are the capacity issues that we deal with, so it is not just whether you can fit the number of people in, but can our infrastructure handle it and that needs to be upgraded or we have to consider limits in other areas as well.

Councilmember Yukimura: I knew where the toilet was, but what about these visitors who do not really know where the next toilet is? Do you know what I mean?

Mr. Carpenter: Understood.

Councilmember Yukimura: It is crazy.

Mr. Carpenter: I have AnaStasia Lytle here who is the Parks Superintendent for Kaua'i. She is listening and I am sure she is hearing what you are saying and nothing that she does not already know.

Councilmember Yukimura: Yes, it is the legislators who need to hear it.

Mr. Carpenter: They are. I think they are understanding, but just like you folks, a lot of competing interest for the limited number of dollars.

Councilmember Yukimura: Thank Susan Case for the excellent work that is being done by the entire department.

Councilmember Kawakami: Thank you for being with us today. Hanauma Bay State Park.

Mr. Carpenter: Hanauma County park.

Councilmember Kawakami: Is it a County park?

Mr. Carpenter: It is a County park.

Councilmember Kawakami: How come it is saying "Hanauma Bay State Park" on their website?

Mr. Carpenter: Amazingly, State Parks has the bay, the water.

Councilmember Kawakami: Okay.

Mr. Carpenter: The County has the land. All the parking, all the visitor management is all County. We have the water and name only. I would love to share some of the revenue from that.

Councilmember Kawakami: They are generating revenue, that was my question.

Mr. Carpenter: They are generating revenue, yes.

Councilmember Kawakami: So, they are in the black as far as Hanauma Bay State Park?

Mr. Carpenter: I cannot say for sure. It is a County park.

Councilmember Kawakami: Okay, County park.

Mr. Carpenter: I do not know their financials.

Councilmember Kawakami: They have a model where they provide shuttle services. So, are all the shuttle services, all the snorkel rentals, all the food concessionaires, that is all outsourced? Is that all out to bid or is that...

Mr. Carpenter: I am pretty sure they are all outsourced, so they private entities that bid for the contractor to run that. I do not know for what period of time and what the County runs, they run the educational management facilities, in coordination with volunteers.

Councilmember Kawakami: Okay.

Mr. Carpenter: That is the kind of model that we may end up with. We have private concessionaires in Kōke'e and we will probably end up with some at Kē'e as well.

Councilmember Kawakami: When we talk about bathroom conditions and all the different parks that I have been to, I am a big fan of parks myself. I notice that there is a correlation when you have a revenue generator like a restaurant or concessionaire with clean bathrooms, because oftentimes is it the staff.

Mr. Carpenter: They do it.

Councilmember Kawakami: It is the staff that is there three hundred sixty-five (365) days out of the year from 8:00 a.m. to 5:00 p.m. where visitors are there to be able to maintain those restrooms. The challenge we have at State parks and County parks is that we have so many ground to cover with limited resources, so these things tend to fall through the cracks. When you take a look at the parks that are working, there are always some source of revenue generation and this model might work because there is a good balance. The park entry fee is seven dollar fifty cents (\$7.50), but if you are *kama'āina* with a State or driver's license or active military, it is free, twelve (12) and under is free, there is a shuttle to be had at 7:15 a.m., 8:45 a.m., or 10:15 a.m., from your hotel in Waikīkī and they charge you twenty-five dollars (\$25). You get to the gate and it is an additional seven dollars fifty cents (\$7.50). Is this the type of model? When we look at Kē'e, we are thinking about a shuttle, but then who pays for the shuttle? Maybe this is one opportunity that can be explored without local *kama'āina* having this uproar as far as, "We do not want to pay," well, you do not have to pay.

Mr. Carpenter: Correct. That is the way that our rules are written that locals do not pay, but for concession items, I do not know if it would work exactly the same. Usually there would be a discount. I do believe the shuttle idea, which our plan is very much built to support, is a good one. It will take a lot of the pressure off of the roads. I do not think it can be economically viable without some subsidy though.

Councilmember Kawakami: Hopefully, the hotels can kick in too, right? I think there are about three thousand (3,000) visitors for Hanauma Bay a day; there is only three hundred (300) stalls. Have we assessed how many parking stalls we could fit down at Kē'e?

Mr. Carpenter: Yes, we have. We are very limited because remember it is all a cultural landscape, so the permanent parking is going to where the current overflow lot is and that is because it is a previously disturbed area. It was

graded, bulldozed prior to it becoming a park, so we are taking advantage of that. We do not want to damage any cultural natural resources. We actually want to enhance those as part of the park experience. Our capacity to provide as much parking as would be demanded is not there. We are not willing to sacrifice the cultural sites for visitor parking. That is why the imposition of visitor limit has to happen because we are actually going to restrict the number of parking to a lower number than presently exist. It is going to be one hundred (100) stall lot and then there will be some additional overflow areas for special access for volunteers, cultural practitioners, ADA, et cetera, but for the most part, the parking is going to be less than there is today.

Councilmember Kawakami: One hundred (100) stalls.

Mr. Carpenter: One hundred (100) stalls.

Councilmember Kawakami: Which in comparison to Hanauma is pretty acceptable, I would say, because the population based, the number of visitors, but then the shuttle service is key.

Mr. Carpenter: The shuttle service is key, yes.

Councilmember Kawakami: Okay.

Committee Chair Chock: Any further questions for State Parks. Some people in the audience want to talk to you after...going once, going twice. Thank you so much for being here. I appreciate your time.

Mr. Carpenter: Thank you. I appreciate you accommodating me.

Committee Chair Chock: Since we are on parks and this can relate to some of the heritage section or resources, we have our Parks Administrator here from the County, if you have any specific parks questions as it relates to the General Plan. Shall we stay on that subject matter? This will be to Planning and/or to Lenny Rapozo.

Councilmember Yukimura: I have one (1) question for Lenny.

Committee Chair Chock: Lenny, please?

Councilmember Yukimura: Good morning.

LEONARD A. RAPOZO, Director of Parks & Recreation: Good morning.

Councilmember Yukimura: I was going to actually ask the question of the Planning Department, but I guess I could start with you, Lenny, since we want to have you speak and then let you go, because you are so busy. I think there were several places where the Kaua'i Parks Master Plan was mentioned and my recollection is that the Master Plan was never accepted by the Council. You had a briefing and we made some suggestions and then it never came back.

Mr. Rapozo: I believe it was, but you should check on that.

Councilmember Yukimura: If so, can you get the documentation that it was officially accepted, because unlike our Short-Range Transit Plan, our Multimodal Transportation Plan, we did not have a resolution that I recall that accepted it officially. I thought there were a lot of changes that had been suggested and to me it has just been in limbo for many years now.

Mr. Rapozo: Okay, yes.

Councilmember Yukimura: Okay. On page 150, permitting actions and code changes, it says, "Provide comprehensive, well designed, and highly functional parks and recreational facilities that meet public needs, provide attractive places to exercise, accommodate diverse groups." I think that word should be "recreate." "Accommodate diverse groups and activities, make suitable uses of resources that are compatible with surrounding uses." In a presence situation where toilet paper is the issue, what is the plan for doing that? Is that an acceptable objective for you?

Mr. Rapozo: It is always a challenge and I think we try to do our best with putting in as many rolls as possible in any comfort station, but again...

Councilmember Yukimura: Are you talking about the toilet paper?

Mr. Rapozo: Yes. At every park seems to be a challenge depending upon usage. We were just talking about...we just had the gentleman here from State Parks and I am not sure how recently you have been to our Hā'ena Beach Park. The capacity there and the uses there is just unbelievable and our staff has been instructed to put as many rolls as possible, even if there is a ledge, to put some up there. Some of the challenges are that people do take them. We have a special one that we can lock up toilet paper up to four (4) and we try to put others on there and hopefully it lasts long. Every turn that the caretakers go, that is one of their priorities.

Councilmember Yukimura: So it seems that this may be a design issue.

Mr. Rapozo: It could be.

Councilmember Yukimura: I think there are dispensers where theft is harder and you do not need to replenish it as frequently. I do not know all the details, but I imagine that that will be some of the solution for parks in many ways. Even what happened with the ADA bathrooms, you know, it is a design issue. When you design things, you have to look at what the purpose and function is and then design it accordingly. I acknowledged you were not around when the ADA bathrooms were...I mean when the bathrooms were converted to ADA and we discussed this yesterday and in the men's stall, the dividing wall was removed, and in the women's stall, a whole unit and toilet was removed creating all kinds of problems now for us. So, that is a design issue. The designs minimum spec should have been to two (2) toilets or three (3) toilets in the women's bathroom and that was violated.

Mr. Rapozo: I think we came up with a good design to prevent them from stealing the toilet paper, but it does not prevent them from yanking it off the wall, which vandalism is a problem in all of our parks.

Councilmember Yukimura: Yes, so that design does not work.

Mr. Rapozo: We try our best. I am not sure what design would allow it to be kept on the wall when we attach it to the wall, because it gets ripped off the wall.

Councilmember Yukimura: Okay.

Mr. Rapozo: We construct it pretty good. If you want to see one of our constructions, go down to Kalena Park. That is an in-house that we have seen to have worked the best in terms of trying to maximize at least three (3) or four (4) toilet rolls there. That seemed to lasted the longest on there.

Councilmember Yukimura: Good.

Mr. Rapozo: But Kalena Park, depending on who is around, right?

Councilmember Yukimura: So, when you learn what works best, do you put it in the parks (inaudible) for any new bathroom?

Mr. Rapozo: Yes.

Councilmember Yukimura: Okay, that is great.

Committee Chair Chock: Council Chair has a follow-up.

Council Chair Rapozo: I think Councilmember Yukimura was talking about the wall between the commode and the urinal, not the wall that the toilet paper was on, but that was the Buildings Division that did that, when the ADA issue was raised. It was not Parks. It was Buildings that did that.

Councilmember Yukimura: It was not Parks.

Council Chair Rapozo: It was not the Parks Department. Number seven (7), page 15, "develop prototype design for new facilities such as restrooms and pavilions." I know we funded a while back significant amount of money to have a consultant design, did prototype, and where are we on that? That was quite a while ago.

Mr. Rapozo: We have completed it. We have it on hand now. That contract was about almost two hundred ten thousand dollars (\$210,000).

Council Chair Rapozo: Right. So we have the prototype?

Mr. Rapozo: Yes.

Council Chair Rapozo: So number seven (7) is actually completed.

Mr. Rapozo: Number seven (7), yes.

Council Chair Rapozo: Okay. That was the follow-up to Councilmember Yukimura.

Committee Chair Chock: Are there any other questions for Parks? This includes Share Use Path, Challenges and Management, Access. If not, thank you very much.

Mr. Rapozo: Thank you.

Committee Chair Chock: Okay. Why do we not go back to...if you folks could stay there. I think we were last on Tourism. Is that correct? Okay, we will go back to tourism because I know there were big questions regarding tourism. Ms. Zachary is still here and we have George here as well. One of the questions that I had was regarding the rental car action item. I know that is something that we had looked into on our side as a real barrier with the State in terms of creating a tax for it. I am just wondering where that came from and how feasible that is if there is something else that would help clarify that. It is very specific in terms of an action.

Ms. Williams: As you are probably aware, it is an idea that came up a lot throughout our public process just looking for another source of funding

to provide for those improvements that might help get visitors off the road and into some type of shuttle system. The intent of having it in our General Plan is just acknowledging that it is a possible source of funds and we would definitely need to do a lot more research into how it can even work. It is true that it is not something that the County could easily do, but due to the fact that it came up so much throughout our public process, we felt that we should include it as something to explore.

Committee Chair Chock: I think this amendment came from the coalition for that specific. It says to add carbon, is that part of what the discussion has been in the past? Is it a carbon tax?

Ms. Williams: Carbon tax...

Committee Chair Chock: I am not sure what that is, but I can ask them for more details about what they mean by that, but I am just curious as to how far this is going for you folks.

Ms. Williams: I imagine that a carbon tax would imply that for anyone that flies over due to the amount of greenhouse gases that we admit through air travel, which is a really high amount that there would be some type of tax. It is not recommended right now in the General Plan. I think it might be best to speak with a representative from the coalition to understand it more.

Councilmember Yukimura: Actually, you have "Increase use of renewable fuel sources and support carbon offset programs and incentives for passengers to and from Kaua'i," so that actually indicate support for it.

Ms. Williams: Yes, but we do not explicitly say a tax. We could look deeper into that.

Councilmember Yukimura: I see. The distinction between a tax and an offset, I see that now. Okay. I appreciate that you included that. May I ask some other questions now?

Committee Chair Chock: Sure.

Councilmember Yukimura: I want to go back to my original question and it is on page 160, Yvette, if we could do that. It is in the Tourism Section, recommended actions. Well, I do not know if they are recommended actions because sometimes your actions are not recommended, they are just possibilities and maybe good ideas, which makes it hard. Number one, it sounds like a policy, "Revitalize rather than expand the resort areas of Po'ipū, Līhu'e, Wailua, and Princeville." We discussed what you meant by resort areas. If we amend the plan to take out Princeville Phase II, how should we amend this to clarify what resort areas mean?

Ms. Williams: I think if Princeville Phase II was in fact removed from the future Land Use Map that that action would not need to change at all, because it would simply be acknowledging that through our Future Land Use Map that the resort designated areas are where we really want to focus any efforts to improve our VDA. It would actually be very consistent because we would clearly not be calling for the expansion of any resort area with the possible exception on the west side, the sixty (60) acres adjacent to the plantation cottage area. Yes, that action would not need to be amended.

Councilmember Yukimura: You know the way you are speaking, we are going to amend our policies based on how we do our zoning rather than do our zoning based on policy. Are we going to say resort areas are VDAs?

Ms. Williams: They are, yes.

Councilmember Yukimura: So, I can amend this to say, "Rather than expanding VDA."

Ms. Williams: Yes and actually, Item A.3. clearly says that we shall not expand the existing VDA boundaries beyond those resort designated areas in the General Plan in the Future Land Use Map.

Councilmember Yukimura: Well, but then you are saying we cannot do Waimea.

Ms. Williams: Right now, the Waimea area is designated as a Provisional Resort Area.

Councilmember Yukimura: Is it resort area or is it VDA?

Ms. Williams: And as we have previously discussed the reasoning behind identifying some areas as a provisional place is that we really need much more detailed public process to look at these areas and figure out what the community would like to see. If in fact we do designate an area Resort, what that means? What would the scale of that potential resort look like?

Councilmember Yukimura: Well then, what is the use of a VDA? If VDA does not designate resort areas, what is the use of a VDA?

Ms. Williams: A VDA does designate our resort areas.

Councilmember Yukimura: So wherever we put resorts, that will be a VDA that is not my understanding of a VDA. A VDA is a region where resorts have

a synergy of being able to interact and it keeps resort areas from expanding into other parts of the island with the cause of conflicts between resort areas and residential and other uses. It makes sense to me to say we will not expand resort areas outside of VDAs, but how in the world did Kaua'i Beach Resort become a VDA?

Mr. Hull: It ultimately was designated through a zoning process.

Councilmember Yukimura: I know, but I am asking about what are our guidelines for rezoning?

Mr. Hull: That is what we are saying is that with the case in the west side provisional resort designation, indeed in hearing much of the discussion that happened yesterday, has happened with the General Plan outreach process in which there is considerable concern about the impact and the growing impact of tourism on this island. Particularly, with the lacking infrastructure to meet the tourist industry needs and the impact of the spillovers towards having on our own residential communities. It was initially proposed to remove that resort designation from the west side and more than any action that the Department tried to do to take away potential development areas, there was an outcry from that community saying, "Do not do this. This is one strategy we have to in fact revitalize the area." It was, I would say, visceral, the reaction from the west side community to remove that. The response on the department's proposal is to say, "Okay, let us look at provisionally keeping it as resort. It looks like we will have in a very short time being going back to you folks for the West Kaua'i Community Plan Update and in that much more detailed and intimate outreach to the community, have the discussions, and go through the process to see if resort uses should occur out there and at what capacity.

Councilmember Yukimura: I know, but the General Plan is supposed to set the parameters for how we make our decisions and set the policies for how we make our decisions about resort lands for the next twenty (20) years. I want to know what are those principles and if the principles are we do not expand beyond the existing VDAs, we need to bring that up when we are talking about another resort. That should be one of the parameters by which we make our decisions. Now, you are going through some specifics about Waimea, but then you can say, "Well, there is already resort zoning, there is an existing resort, and there is resort zoning for another two hundred fifty (250) units in Waimea." So, do you need another two hundred fifty (250), which I am assuming is the amount that the proposed provisional resort will provide? That analysis has to be done by your Planning Department. Are you just going to say, "Well, wherever people beg for more jobs, we are going to allow resort to happen"?

Mr. Hull: First, to be clear, the department is not proposing a new provisional resort. This is where they have had that resort designation for over twenty (20) years. They have had that there. We are just saying...

Councilmember Yukimura: Yes, Princeville has two (2).

Committee Chair Chock: Let him finish.

Mr. Hull: And so that is why I take objection of characterizing that the Department is going in there and injecting new resort designations, no, these have been there for a long, long time, Councilmember Yukimura.

Councilmember Yukimura: But the arguments...

Mr. Hull: With all due respect, can I finish my answer?

Committee Chair Chock: Councilmember Yukimura, let him finish please.

Councilmember Yukimura: Go ahead.

Mr. Hull: What we are saying is these designations have been there. We are very sympathetic when we have...and cognizant of the impacts with the tourism industry and the carrying capacity of this island has with this infrastructure for tourism. In looking at it, this is hands-down the first time...it is somewhat of a historical moment in planning for Hawai'i. This is the first time a General Plan Update has ever proposed to downscale resort designation. In every single General Plan Update, across the State, there have been expansions of the resort area. We are recognizing and we are very cognizant of the fact that we are at a tipping point with our tourism impacts and so we are proposing in some areas to scale it back. In some areas, leave it alone or some to scale it back, whether it be spatially on the land use policy side or as well as looking specifically in the policies to say that we will hold back entitlements if they are not acted upon. I just want to lay that out there that I do take objection to the Planning Department being characterized as trying to compel more resort designations to happen.

Councilmember Yukimura: I am not saying that. I am asking you how are you doing your analysis and how are you setting policy. If you say Waimea should possibly stay there and you are stepping back from recommending removal, how are you rationalizing the fact that there is already, first of all, it is not a visitor designation area, is it? Is that a VDA? It is?

Ms. Williams: There is an existing VDA over the plantation cottage development.

Councilmember Yukimura: Are you sure?

Ms. Williams: Yes. There is an existing resort area there.

Councilmember Yukimura: It is not a VDA.

Ms. Williams: A very small one.

Councilmember Yukimura: Is it a VDA?

Ms. Williams: It does have resort...

Councilmember Yukimura: There is a distinction between resort zoning and VDA boundaries, is there not?

Ms. Williams: There is.

Councilmember Yukimura: And is there a VDA boundary there?

Mr. Hull: The problem is we do not have the maps for the VDA, but we can get back to you on that.

Councilmember Yukimura: So, that is another thing. I wondered why your Land Use Maps do not show VDA boundaries.

Mr. Hull: Because the VDA is a function of zoning, so our zoning maps have the VDA designation on that.

Councilmember Yukimura: Well agriculture is a function of zoning.

Mr. Hull: Yes, and agricultural general plan designation is an agricultural general plan designation, but within the agricultural designation you have agricultural zoning as well as open zoning, so there are different distinctions and in the general plan land use map, it does not delve into the specific zoning overlays.

Councilmember Yukimura: Would you mind including VDAs in your maps.

Committee Chair Chock: Page 161.

Ms. Williams: Excuse us, there is a map of our existing VDA areas on page 161.

Councilmember Yukimura: I know, but can you put it in every regional land use map that you have?

Ms. Williams: Yes.

Councilmember Yukimura: You can?

Ms. Williams: Yes.

Councilmember Yukimura: Thank you.

Councilmember Kaneshiro: As far as the mapping goes, to me, I would be hesitant to start adding a lot of layers to one particular map, so I know we said we would topo and now we are going to put VDA. I would really suggest that you take a look and see if we can be referenced to this map rather than adding everything into one map and then it is going to be very difficult to see. Just looking at the maps we were going to add topo to, I know like IAL lines, Provisional Ag lines, Provisional Resort lines; they all have lines that go diagonally across the map. If you start putting topo lines in it, it will be very difficult to see what we are actually looking at. If a topo map is what we want, maybe we have a separate topo map. I would like to hear from Planning because I do not know what the map is going to look like in the end, but if we keep saying, "Can we add this? Can we add that?" I do not want the map to get so convoluted that we do not know what we are looking at anymore. That is just my suggestion. You have the VDA map here. If we want a separate topo map and you folks say, "Eh, I think it is better we do a separate topo map in the back that we can add that people can reference," I am open to those types of suggestions. I think if we keep trying to add layers on to one map, it could get very convoluted.

Councilmember Yukimura: Your point is well taken and what we need is overlays. That would be really good.

Council Chair Rapozo: Hard to put overlays on a paper map.

Councilmember Yukimura: No, you can.

Council Chair Rapozo: I think along the lines of Councilmember Kaneshiro, the VDA map that you have here on page 161, I think is sufficient, as far as the designations.

Councilmember Yukimura: Yes.

Council Chair Rapozo: But it is just too small.

Councilmember Yukimura: Okay...

Council Chair Rapozo: Gosh, it is frustrating.

Councilmember Yukimura: I am sorry.

Council Chair Rapozo: If you could expand the VDA areas and you could probably divide two (2) of these areas per page, so that we could see the line. We kind of familiar where it is, but with this map, it is kind of hard to see where it starts and where it ends. Thank you.

Councilmember Yukimura: So the answer to my question is, yes, there is a VDA. I am corrected at this point.

Mr. Hull: (inaudible).

Councilmember Yukimura: Okay, thank you. What is your policy with respect to VDAs? Wherever there is a resort there is going to be VDAs? To me, I was there when we created VDAs and that was not the intention. If you look at the VDA map on page 161, you have these really small, like at Kaua'i Beach Resort, that is a VDA, which is not really the concept of a VDA. Po'ipū is, Princeville is, but one (1) spot zoning, which you talk about not having spot zoning amendments.

Mr. Hull: In short, the department, should this plan be adopted with those current actionables, we would not be looking at expanding the VDA over the West Side Provisional Resort.

Committee Chair Chock: I need to take a caption break, but we can come back to that clarification if need further.

There being no objections, the meeting recessed at 10:37 a.m.

The meeting was called back to order at 10:52 a.m., and proceeded as follows:

Committee Chair Chock: Thank you and welcome back from our caption break. Right now, we are on Tourism discussion and Councilmember Yukimura has the floor.

Councilmember Yukimura: I think the source of my frustration is...and can we have page 160 back up again, is that this whole section "A" permitting actions and code changes actually state the core of the policy with respect to tourism growth and resort. I am trying to understand what you are saying here. You are to be

commended to have proposed removing resort designated areas because not doing for so many years on all the islands is what has caused this terrible over-zoning and over-development. If this is going to guide us for the next twenty (20) years, I want to be clear about what you are trying to say. Your Kaua'i Technical Study Land Use Buildout, Yvette, do you have the two (2) pages that I wanted to put up? In your executive summary...could I have the pointer? It is the other one first, the other page. Thank you. So, this is your Technical Study and it says in the executive summary, "Is there a need for additional resort zoning to accommodate the projected 2030 visitor units?" Answer, "Based on SMS and visitor plant inventory data and projections, the answer is no. The proposed projects on resort zoned land result in excess capacity, see Table 24." Let us go to Table 24, which is the other page. This is the table. I do not know how you did arrival projections and allocated it by districts, that boggles my mind. If you look at the totals, net need versus existing. The need is for twenty-seven hundred ninety-five (2,795) and I think there is a question as to how do you define the need, but that is the need. This is zoning, okay. This is not the General Plan's designations, but all proposed projects have resort zoning. Back to the chart. This chart is based on the zoning that already exists and it says that there is a net need of twenty-seven hundred (2,700), almost twenty-eight hundred (2,800), and the plan's additions based on existing zoning is thirty-seven hundred (3,700). We have nine hundred and eight (908) more rooms than we need if you do accept the definition of need. To me, and this is not with the General Plan designation, this is just with our zoned lands. So, that tells us just with zoned lands, already, we are over what we need for the next twenty (20) years. This section, if we can go back to page 160 is a very...even though it is under actions, it is actually stating a policy. It says, "Revitalize rather than expand the resort areas of Po'ipū, Līhu'e, Wailua, and Princeville." What do you mean by resort areas? In another place, you say...can we zoom in on Section "A" if possible? We say, "Do not allow spot amendments which expand already designated resort areas," so then you use the word "already designated resort areas." Then, in number 3, you say, "Do not expand existing VDA area boundaries beyond resort designated areas." It is really important to be precise so that you give guidance to the Planning Commission six (6) years from now as to what you are really trying to say here. I was wondering if...I do now know maybe you can tell me what your intent here right now and then we can reconstruct it into an amendment that is clear.

Mr. Hull: I think where there is some worry on your part and I can definitely sense it within some of the community is that, is this actionable list an attempt to expand the resort or visitor designation area and I can say that is not what we are trying to do. If it is being misinterpreted, we indeed should look at possible language so that it clarifies that we are not looking at expanding our resort designations. Even just on the spot fly like the one can be reworded to say "Revitalize rather than expand the existing resort areas in Po'ipū, Līhu'e, Wailua, and Princeville," as well as number three (3) before we got into a discussion with before the caption break; "Do not expand existing visitor designation of boundaries,"

and right now it says, "Beyond resort designated areas." I think your concern is if a place gets the Provisional Resort later on, does that mean the expansion of the VDA, and we were not trying to say that, so we would be alright even with taking out, "Beyond resort designated areas," so the statement just states, "Do not expand existing VDA boundaries," period. I just put that out there that it is not our intent to try to further expand the resort designated areas and to try in fact when it is concerning the VDA and trying to keep those lines no further than where they are because your analysis of what the VDA was, previously about, it is a regional zone in order to allow the resort uses to interact with its regional area. That is the purpose of that, I completely agree. Within that though, the only true entitlement that you get in a VDA as opposed to a non-VDA is when that VDA is overlaid on a residential district and that residential district can now do TVRs and timeshares. We are in complete agreement and that is why we are making a statement that there is no need or desire to expand the VDA as to get more TVRs on the ground here on Kaua'i. To be clear, we are not looking for an expansion of the VDA and we would support any amendment that clarifies if it is not clear enough that we are not looking at expand the VDA.

Councilmember Yukimura: Okay, thank you. The confusion arises with the Provisional Resort in Waimea so that if the community and there is a question as to whether it is just the community's decision or because of its islandwide impacts, is also the larger group that makes the decision, but if you assume that it is the community that makes the decision, the community says, "Yes, we want it," arguably that is expanding beyond the VDA. The planning principle and policy is do not expand beyond the VDA and then you do expand beyond the VDA and it is even strange that the Gay & Robinson site is a VDA. That is insanity. It is not VDA. It is one (1) proposed hotel.

Committee Chair Chock: Councilmember, we have gone through this with the Land Use Maps as well and so we all are pretty familiar with the discrepancy that you are bringing up in regards to VDA and resort designation. If it is leading us towards...I think we have had several responses from them on how they feel about it, why it came up, whether or not we agree with this, I think is really about what you see us moving towards, if you are willing to support and introduce an amendment.

Councilmember Yukimura: I am trying to formulate the amendment.

Committee Chair Chock: What we have heard is...

Councilmember Yukimura: I am showing Ka'āina that his proposed policy statement is not clear in terms of direction for how you treat the Provisional Resort when the community is discussing it.

Committee Chair Chock: They have responded previously, so if you asked the question more directly, perhaps you can get a different answer.

Councilmember Yukimura: I am trying to be collaborative in that I feel like we are actually doing really important work in this dialogue, which is trying to craft a clear policy with respect to resort expansion.

Committee Chair Chock: What I have heard them say and respond to is that they are willing to do some amendments that would more clearly define what it is we are talking about.

Councilmember Yukimura: Okay.

Committee Chair Chock: If the question is more about the Provisional Ag and how it relates to this plan...

Councilmember Yukimura: No, Provisional Resort.

Committee Chair Chock: Sorry, "Provisional Resort," then perhaps you need to be clear about what it is you would like to see or ask them if they will be willing to move on that.

Councilmember Yukimura: I am not sure what I want to see yet because I am not sure how the VDA is envisioned to work and how it is to be part of the zoning tools, but if you want me to conduct this conversation offline, I will do it.

Committee Chair Chock: That is not really what I am trying to do. I have heard them speak to it before, so I am not sure if you are just not hearing them or if we do need to have that conversation offline. That is what I am really trying to get at. Councilmember Kaneshiro and then Councilmember Kawakami.

Councilmember Kaneshiro: We have heard this conversation a lot and I do not want to put words into your mouth, but I am almost getting the feeling the amendment would be to take out the resort area or...

Councilmember Yukimura: Which resort area?

Councilmember Kaneshiro: Well, you keep bringing up the Waimea area and the...

Councilmember Yukimura: That is the only place that has Provisional Resort.

Councilmember Kaneshiro: ...and the Gay & Robinson one, yes, so it sounds like you want to remove it, then that is what you can...

Councilmember Yukimura: No.

Councilmember Kaneshiro: Then I do not know what...

Councilmember Yukimura: I am trying to ask how will the policy play out or what is the intention of how the policy will play out with respect to that thing. If we do updates of our community plans and there is another provisional, I mean, this provisional is brand new. We have never had it before as a General Plan designation, so we are all trying to figure out how it works.

Committee Chair Chock: Okay.

Councilmember Yukimura: And it is hard for me to even propose how it should work unless I really understand what the intention is behind it and how it will work with the policy statement that is here.

Committee Chair Chock: Okay. Councilmember Kawakami, did you have something you wanted to say?

Councilmember Kawakami: No.

Committee Chair Chock: Okay. Could you respond to that?

Mr. Hull: I guess. I know we kind of explained it multiple times, but...

Councilmember Yukimura: No...

Mr. Hull: The Provisional Resort designation works as essentially a hybrid between what is already there, which is Resort designation and not Resort designation...

Councilmember Yukimura: I am not...

Councilmember Kawakami: Councilmember Yukimura, let him finish what he is saying.

Councilmember Yukimura: I know, but I am not asking that question.

Councilmember Kawakami: But this is for all of us.

Councilmember Yukimura: Oh, okay.

Councilmember Kawakami: It is not just about you. We are trying to grasp it as well.

Councilmember Yukimura: No, I thought, "We said it so many times already."

Council Chair Rapozo: Committee Chair, I would just ask that when a question is asked, let the person answer and then if it is not...

Councilmember Yukimura: I did not...

Council Chair Rapozo: ...because again, I can engage with the response and then it is, "No, no, no..." I think if you ask a question, let him answer, and if it is not...

Councilmember Yukimura: That is not my question.

Council Chair Rapozo: Because it is about her.

Councilmember Yukimura: No, it is about this wording here interacts with the provisional resort.

Council Chair Rapozo: Then I would suggest she have her discussion offline. If it is just what "she" wants to know and not for the public and the Council, let her have that offline, because I think what he is trying to explain, I am interested to hear.

Councilmember Yukimura: Oh, well, please do not stop then. If it is the...

Council Chair Rapozo: You stopped him.

Councilmember Yukimura: Because I thought he was trying to answer my question and I do not want it repeated over again. I am asking another question, but you folks...

Committee Chair Chock: I understand. I think you heard it, actually, so would you like to respond?

Mr. Hull: With concern to...now we are talking about the actionables and how the Provisional Resort relates to the actionables for that specific number 3, "Do not expand existing VDA boundaries beyond resort designated areas." We would not be looking at putting the VDA overlay on this one. Like I said,

the VDA does function as a regional overlay so that the resort uses can interact with its surrounding uses, but because we would not be looking at allowing TVRs or homestays or timeshares in the residential section of Waimea, that would be functionally no need to even look at putting the VDA in this area. So that is all I am trying to get across. That is why I think there might be some confusion because number 3 has that last sentence "beyond resort designated areas," so would the department be looking at putting VDA over there if Waimea and Kekaha decide to put that provisional and what I am trying to say is take away the "beyond resort designated areas," so we can be clear. We do not intend for this plan to be used as a policy platform to expand the VDAs period.

Council Chair Rapozo: Then we can remove that last part of that sentence.

Committee Chair Chock: Right, okay. Councilmember Yukimura, I know yours might go even further into the question, but continue to get it clear.

Councilmember Yukimura: Number 7, "Do not allow spot amendments which expand already designated resort areas." Should that be VDAs also?

Mr. Hull: It could be inserted. The point of that is just to not allow further resort designations anywhere else.

Councilmember Yukimura: Do not allow any resort designated areas anywhere else, well then, how does that interact with Provisional Resort?

Mr. Hull: Again, the Provisional Resort designation is a hybrid between what is currently and has been for decades of resort designation.

Councilmember Yukimura: No, but what I am saying Mr. Hull is, I am not saying, "Do not put in Provisional Resort." I am saying when it comes up before the community and your policy says, "Do not allow any amendments which expand already designated resorts," going from provisional resort to resort is an amendment which would allow expansion of already designated resort. I mean we are talking about policies and how are we going to follow these policies.

Mr. Hull: It is not an expansion of a place that already has the resort designation. I think what it is saying is if you have a section of resort, not to allow spot amendments to later on make a larger portion of that section. That is what I have been trying to say going back to the Provisional Resort designation is essentially a Resort designation under the plan, but it gives the Waimea community the ability to say, "we are not going to allow any further resort development in there."

Councilmember Yukimura: Okay, now I am really confused because you are saying, "The Provisional Resort is actually a resort designated area."

Mr. Hull: When you are trying to view it in line with...when you are asking me specifically about, "Do not allow spot amendments which expand already designated resort areas," indeed that would have to function within...that would be considered an already resort designated area. I am not going to get caught in this topological loophole of what is or is not a resort...we are saying you have to analyze it, that is the section that is allowed for the discussion to occur further in the Waimea-Kekaha Community Plan Update, but it would not allow for them to expand that area further.

Committee Chair Chock: Follow-up.

Council Chair Rapozo: I guess the question is why did we use Provisional? Because that seems to be the hang up. Why not just take provisional out of Provisional Ag, Provisional Resort, and just call it what it is. It is Resort.

Mr. Hull: Yes.

Council Chair Rapozo: So, I do not know if the provisional was to soften the blow, like with ag. I remember asking Mike, "What the heck is Provisional Ag?." I tried Googling and it does not show up anywhere else, so just remove it and just call it "Resort," and let the Council decide if that is what they want. I think that is causing a lot of heartache right now and a lot of confusion because of "provisional." I am not sure what the purpose of that was.

Mr. Hull: And to the point, that is where a lot of the wrestling went on with the overall discussion of tourism and its impacts on our community as a whole, as an island and saying, "Perhaps we should be scaling back some areas that we already have." Saying, "Okay, let us try and see about scaling back say this Waimea area for resort designation," and then having the community telling us, "No..." now you go from the fifty thousand foot to the entire island to saying, "The impacts might be too much to them going into the actual community," and the community saying, "No, we still really want this." We are trying to find that balance between the two and say, "Okay, let us look at it a lot more in depth when we go through the community plan update whether or not it rest well with this community," or perhaps indeed at that time it can be discussed and say, "No, we are not going to allow the resort here." It was an attempt to walk that wire.

Council Chair Rapozo: Yes, he explained it to me and it made sense back then, but obviously as we go through the discussion, it is causing some heartache.

Mr. Hull:

Yes.

Council Chair Rapozo: I would maybe suggest we take it out. I do not know what legal difference it makes for the landowner and maybe Mauna Kea can address this at a later time, but does the Provisional Ag classification give them any less entitlement to that land or ag or resort? I do not think it makes a difference. I think whether it is provisional or not, I do not think it changes the entitlement to the landowners. Again, we can clarify that, but if it is not a big issue, I would suggest that we just remove the provisional from the class and move forward.

Committee Chair Chock: Maybe we can have Mauna Kea. I already asked for an opinion on that definition, but I could not find it either. Councilmember Yukimura.

Councilmember Yukimura: I have a question about your "Use it or lose it" provision, but I want to say before we move from the provisional resort that all of us feel the tension of just being overwhelmed by the resort numbers on our island and the desire of the Waimea community for some economic growth. That is why I feel an analysis...if the community is going to make the decision or even the Council, there has to be some really clear analysis of all the implications of putting it there or taking it away and it has to be done visa vis-à-vis the Gay & Robinson, which if it is built-out two hundred fifty (250), plus the Waimea Plantation Cottages two hundred fifty (250), plus the existing cottages, what is that number? Does anyone know? Well, see we should at least know that.

Mr. Hull:

Councilmember.

Councilmember Yukimura: No, no, I am not saying, "You need to know that now," but as part of the analysis, we need to know what the total resort units are going to be potential in Waimea Town and what the impacts are going to be. That is microcosm of our island; we need to know how many resorts totally and what the impacts are going to be. That is why I suggested that transfer development rights might be a way to compromise and address both needs.

Committee Chair Chock: I have to get us to questions because this is moving in circles.

Councilmember Yukimura: Alright. This is providing the context for the question.

Committee Chair Chock: We heard that context many times already, so please get to the question.

Councilmember Yukimura: Okay, so the question is, can you include or are you willing to include some discussion about a policy of transferred development rights because it is a way to enable resort development without increasing numbers or it is a way to allow new lands to be considered for resort without increasing numbers. That is my question.

Mr. Hull: To allow discussion, where, today?

Councilmember Yukimura: No, to put that in the policy to look at this as a potential tool, as you suggested with many other areas. Explore it as a tool.

Mr. Hull: I can say with all honesty, the department has explored ad nauseam how TVRs work and while they work or have worked extremely successful in some areas, in putting it over Kaua'i, we have not found a feasible way to do it. I will leave it at that.

Councilmember Yukimura: Okay.

Mr. Hull: If the Council feels that we should explore it more, we can definitely explore it more.

Councilmember Yukimura: Okay, that is your answer. Thank you.

Committee Chair Chock: Councilmember Kaneshiro.

Councilmember Kaneshiro: No, I was going to try to reel it back in because I think we have heard this conversation before. Again, to bring it back, this is the General Plan. For us to know exactly how many units are going to be built within the next twenty (20) years, is pretty much impossible. It would be like saying, "So, all the residential units can build, how many houses will we exactly have in twenty (20) years." We do not know. There is economic influences. There are a lot of things that happen. All we know is we are trying to put the forty thousand foot view on a map right now and as these resorts go through even if it is like the G&R resort, how do you even determine how many units are going to be built from that? You do not. They still have to go through an entire entitlement process where they may downsize zoning and they may do other things.

Councilmember Yukimura: No, they have zoning permits already.

Council Chair Rapozo: There you go.

Councilmember Yukimura: So again, it is...I am getting interrupted, but again, it is very difficult to say. We are looking at a forty thousand foot view. We have the numbers. I think if you check the past twenty (20) year plan, not every single unit

that is projected has been built-out, because we still have some units here that are not built-out. It is a plan. A forty thousand foot view plan and there is a lot more that is going to have go into all of these little sections to determine how many units are exactly going to be built. We are trying to nail down an exact number and we had the person out here a few weeks ago on the population growth and all his numbers. I cannot tell him what his calculation should be. He is the professional and does it for a living. To some extent, we need to trust the process. We need to look at it. If there is a resort area you do not think should be there then that is the amendment we propose. "I do not think this resort area should be here because I do not think the community is ready for it or the infrastructure is not ready," but we are just...oh, man, this is tough.

Council Chair Rapozo: Committee Chair that is why the idea of a 20-year General Plan is ridiculous. A General Plan for twenty (20) years is ridiculous because the way the world changes, the dynamics, everything changes today, it is not like before. A 20-year General Plan is an exercise in futility, if you use Glenn Mickens' word, because we do not know what the economy will be next year. Like Councilmember Kaneshiro is saying, you trust the process, we do the best we can right now with the way we think and the numbers we have, but to think that this plan will be the plan fifteen (15) years from now, really, it is not realistic. Things will change. People will change. Councils will change. Residents will change. Visitors will change. To think that we are not going to let the community decide what they want for their community. To think that the Planning Department or this Council or the community from Kapa'a to dictate what the west side community should have is ridiculous. They decide and they should have the determining and decision-making for the area that they live in. It should not be this body, because we believe that it is wrong for that community. This is community-driven or it should be. I do not know how else to do it. If you do a 5-year General Plan would be kind of...that is not practical or feasible, so we got the 20-year plan, but we have to understand that it is exactly that it is a 20-year plan based on the data information we have today. That will change, so the plan will change. We all have to be realistic about that and sorry for being the "bearer of bad news," but that is just the reality. We cannot lock ourselves in to a plan twenty (20) years from now in 2017 that is just not feasible. Thank you.

Committee Chair Chock: So...

Councilmember Yukimura: Committee Chair?

Committee Chair Chock: Hold on. I have to reel this back in or we are not going to ever get through this. We can get into discussion, but the reason why we are having this discussion is because of how we are moving forward in unfolding the plan. I want to get us back to questions and answers about anything that you feel needs to be acted on or worked on in an amendment, because that is truly what we

have to offer in this process at this point at this late stage of the game when it comes to this plan. If that is what we are doing then I will continue to allow questions to be asked, but if what we need to do and want to do is just discuss amongst ourselves, then we can stop questions. I am fine with that. We can just listen to each other. How would you folks like to move forward? Councilmember Yukimura.

Councilmember Yukimura: If what the two (2) Councilmembers said is true, we should just adjourn and not work on this plan, but Councilmember Kaneshiro, you are right that we do not know the future, but we are and as part of our planning process have to work with figures. That is why this whole thing...so, we have to be able to know what the maximum possibilities are otherwise why do anything if we cannot talk in terms of numbers? I have this question about allowing existing resort entitlements to buildout, number 4, which at first I was against it, but I am not sure now. I am wanting to understand what you are proposing here, which if we can put back up page 160, "Allow existing resort entitlements to buildout and require any non-entitled resort designated..." What?

Committee Chair Chock: Go ahead.

Councilmember Yukimura: "...designated area in the General Plan to obtain full stake County zoning resort related approvals by 2027 or within ten (10) years of the community plan approval if any area is conditionally designated." Basically, this is the use it or lose it provision. I thought you were proposing when I first read it, proposing it to the existing entitlements, but in fact you are saying that if we say turn Waimea Plantation Cottages Provisional Resort in two (2) years, then you would give them ten (10) years to build, it does not say "build." It says, "Obtain full approvals," and I mean one of the amendments could be to actually build it in ten (10) years and how you actually do that in law is they can say substantial construction and they build a foundation and then they leave it there for ten (10) years. We have seen the company go broke, blah, blah it is not that easy to craft, but I am trying to understand what you are saying. Are you saying just approvals or build within ten (10) years and that is the question what are you trying to say? And number 2, has this been shown to work anywhere else?

Mr. Hull: Right now the statement is for zoning permit approval, so they would have to get whatever zoning permits that would be required to have those stamped. As far as working on other places, I would have to look, more specifically in some of the areas and essentially this is a County-essential policy, which if they did not attain that zoning approval than it would be incumbent upon either the department or the County Council or somebody to initiate a move to down designate the resort designations. I will say it is not like in the event that the west side community plan decided to designate this area resort, more than likely they would have to come back to this body to get the next resort zoning itself, which could be another couple year process. Once they get through resort zoning, they would have

to get the appropriate permits, which could potentially be a Class IV Zoning Use Permit, which can be also be a fairly prolong process. While ten (10) years might seem like a lengthy window within the parameters of what they would have to go through to actually then come back here for zoning designations and then to go through a public hearing process and potentially a contested-case hearing, it can be fairly long, but should they not go through the entire process within ten (10) years, it would be incumbent the County to down designate it then.

Councilmember Yukimura: So, it is very unlikely to happen that I have never seen the County initiate a down-zoning and then the other possibility is if you approached ten (10) years and they have all of their approvals, then they can just hold those permits and not build for a long time. I mean, look at Coco Palms, they have their permits, Gay & Robinson has their zoning permits, but that does not really...I mean if the purpose here is to extinguish something that has not been built in ten (10) years, will that work?

Mr. Hull: I think that that is the discussion. I will just say that once that property owner has those permits in hand, it is pretty hard to take those permits away quite honestly. Legally, I am saying. I think that was an attempt to at least address that, but I would refer to the Office of the County Attorney because I think what you are getting at is can we actually have this on the buildout and I would refer this to the Office of the County Attorney to say once they have those permits and they have not built, would it be even legal for the County to yank those permits away.

Councilmember Yukimura: Well I do not think it will be, unless the zoning permits themselves had a time limit.

Mr. Hull: And that is fairly common.

Councilmember Yukimura: But there still would be a very long drawn out effort to try and yank the permits.

Mr. Hull: If the attempt was to go after construction.

Councilmember Yukimura: And the other possibility is they will accelerate their efforts as the deadline approaches to build whether or not there is a demand.

Mr. Hull: Correct.

Councilmember Yukimura: Right.

Mr. Hull: And then I would also say that when you are saying (inaudible) something to the effect of down designating does not generally happen, I can say it is happening right now, it is happening today with this body, with the Planning Department. There is an attempt to down designate resort designation in the General Plan today.

Councilmember Yukimura: Well, look how hard it is.

Mr. Hull: In this particular case, it is not what I am referring to. It is the Nukoli'i Resort Designation.

Councilmember Yukimura: Do you know how much time it took to get to that place? Ten (10) years, two (2) ballot initiatives, and maybe that is why they are not trying to resurrect it.

Committee Chair Chock: Okay.

Councilmember Yukimura: So, that was not easy.

Mr. Hull: Well...

Committee Chair Chock: Next question.

Councilmember Yukimura: I do not understand number 5, "Require short duration expiration dates should development not be constructed as permitted."

Mr. Hull: That is exactly what you are speaking to on the zoning permit timelines themselves, which I would not say is common, but does happen frequently...it happens on occasion. It is not a common practice, but it happens on occasion that the Planning Commission in reviewing Class IV Zoning Permits will put timelines on those permits for construction.

Councilmember Yukimura: Requires short duration expiration dates, so you are talking about expiration on permits.

Mr. Hull: Correct.

Councilmember Yukimura: So, put expiration dates on permits to require development be done within a certain period of time, is that what you mean?

Mr. Hull: Correct.

Councilmember Yukimura: Can you send us back a rewording on that?

Council Chair Rapozo: Question real quick.

Committee Chair Chock: Sure.

Council Chair Rapozo: Because I am confused. Can you give me a scenario? What bothers me is where it says, "Should development not be constructed as permitted," which is on permitted construction.

Mr. Hull: Or not constructed at all.

Council Chair Rapozo: Oh.

Mr. Hull: So, if they have not constructed it...the zoning permits do not have an expiration date.

Council Chair Rapozo: I got it. Okay, now that makes sense, but "as permitted," meant that something was permitted and they violated the law.

Mr. Hull: Yes, yes.

Council Chair Rapozo: Okay, so you are just saying that if they are not building within the timeline as...okay, yes, it definitely needs to be reworded.

Committee Chair Chock: Number 4, has that been vetted at all with the County Attorney?

Mr. Hull: The County Attorney has gone over this, but the question Councilmember Yukimura was asking is if we could change it to essentially taking away the designation after they have been given their permits. That particular strategy, we have not vetted with the Office of the County Attorney.

Committee Chair Chock: But this is legal right here.

Mr. Hull: Yes.

Committee Chair Chock: Thank you.

Councilmember Yukimura: I mean this is so unwieldy to me, the number 4, "the use it or lose it," but it would be much better to not give the permits in the first place or to really go upstream and look at the vetting process for resorts. There is nothing in here about impact fees, requiring resorts to really pay the full cost of the impacts they will cause in the community, is that not something we should be doing?

Mr. Hull: They are currently are higher impact fees for resort designations, but as far as increasing those fees, generally you will have to...the County has to go through a study itself prior to increasing any fees.

Councilmember Yukimura: We have...

Mr. Hull: We have done studies in the past, but when you are explicitly looking at increasing the fees themselves, the County has to go through another study prior to doing that. I am not opposing that, Councilmember, I am just laying out what is required. To your point about not allowing resorts at all, that ultimately is a discussion...

Councilmember Yukimura: I did not say "at all." I said without requiring them to pay for the full cost of their impacts. That has been the problem. We have all these impacts from traffic congestion to water pollution and issues to parks and everything, because we have not made resorts pay for the infrastructure that it will take to offset those costs.

Mr. Hull: I can say in some cases that may be the interpretation of the viewpoint of the public for some of the resorts, but I can also point to the fact that the Planning Commission and the Department have required many things out of resorts prior to development. So much to the point that we have been sued on a number of occasions and the court said we overstepped our boundaries. We took too much from them, so there is during the discussion and the entitlement process for permits that indeed the Commission goes...

Committee Chair Chock: Okay, we are going down that road again. I do not want to go down that road. I want to get to a question.

Councilmember Yukimura: I asked my question.

Committee Chair Chock: Maybe he did not understand you. He is responding to what it is your comments were after your question.

Councilmember Yukimura: Yes, he did not understand it because he thought I asked that I wanted to stop all development.

Committee Chair Chock: You provided comments after it. Can you please stick to the question?

Councilmember Yukimura: I agree with you that one of the handicaps in imposing impact fees is not knowing and not being able to assess fully what the impacts are, so I believe that in the discussion on transportation, we talked about doing an assessment of regional transportation impacts from development. When you

do that, then you are better able to have a basis for assessing impact cost, right? Sometimes it has been in how we required the analysis to be done, if you only required the immediate intersections to be analyzed, then you only pay for those impacts and not for the regional impacts. That is all the questions that I have on section "A."

Committee Chair Chock: Any further questions? Tourism.

Council Chair Rapozo: We heard the Parks person from the State talk about the carrying capacity. They kind of defined they are there, right, and I noticed that in B.2....well, B.1. talks about the Kaua'i Tourism Strategic Plan, which I think we talked about yesterday, so I am not going to rehash that, but number 2 was "explore development of a maximum annual visitor carrying capacity." How are we planning to get to that number? Are we planning on getting a consultant or is that something we have to look at going forward? Because there is a definite carrying capacity, whatever that number is, and I am kind of frightened by the numbers that we are seeing today and I guess the lack of concern from the State or whomever gives out these routes, plane seats, airline seats, there is no consideration as far as I am concerned to the carrying capacity of, not just Kaua'i, but Maui and the other islands. How are we planning on, let us say that we established the carrying capacity, which is probably close to what we are at, probably less than where we are at today. What happens then? Do we like shut down the lights at the airport at night and say, "Sorry, planes, you are not coming." I think we have to be close.

Mr. Hull: Yes.

Council Chair Rapozo: We got to be close and I think some think we are way pass, but maybe for certain areas, I think, absolutely, but I do not know what we do with that and where do we go from there.

Mr. Hull: We do acknowledge that that numbers have been provided in the Kaua'i Tourism Strategic Plan and Sue Kanoho has been here talking about the overall experience with what they feel that the island can accommodate. We have not officially adopted the Kaua'i Tourism Strategic Plan at this point, but we agree with the sentiment, with agree with the numbers, and how we handle that, we cannot stop people from getting off at our airport. Can we work and negotiate with the State on how these routes are managed and how many of the licenses are handed out, in deed we can, but as far as certain constitutional protections, people have the right to visit here. I know yesterday Marie brought up the point of Bhutan; we just do not have it.

Council Chair Rapozo: Right. All of those things are not relevant. We are not going to be able to control visas coming it is just not going to happen. Are we aware of any jurisdiction that actually has determined that carrying capacity number? I do not know.

Mr. Hull:

At this point, I am not familiar.

Council Chair Rapozo: I am just curious as to what they do. We can work with the state and feds and share our concerns, but at the end of the day, we do not control that. One thing we are not talking about is the ships. The ships are coming in. They do not have much time here. I do not know if you have ever been down there when the ships come in, but it is really interesting what happens. It is a really interesting dynamic. Every rental car van is down there. They are scooping these folks up to rent a car for the day or four (4) hours or however long they are here. If you noticed the days that the ship comes in, that is not ninety (90) or one hundred (100) people like the airplane, that is thousands of people that come off that ship. That is another thing that I have not seen addressed, but that is another big concern. I have even seen three (3) ships in that harbor and that is twelve thousand (12,000) people. What do we do? Are we aware of any jurisdiction that actually has set that number and taken some kind of legislative action to stop it? Are we aware of any?

Mr. Hull:

I am not. How much can we do legislatively? I think as much as we can do policy-wise, like I said at the beginning of the meeting, it is an attempt to scale-back tourism of a bit in this plan. If the overall sentiment is the proposal is not scaling enough back, then there are measures to do possibly in the plan that can scale it further back.

Council Chair Rapozo: Would you agree with this statement, because again, I am just thinking out loud here. Let us say you prevent a three hundred (300) unit hotel from building wherever, I do not care, pick a spot. Would that not encourage three hundred (300) units of Airbnb? I mean that people are going to come. The market is going to dictate what happens. The real question is would you rather see these people in a resort that is designated as resort or would you rather see them in the neighborhoods? We are not going to stop them from coming, but how do we create that balance? Do you want them in little homes throughout the island? It is amazing how many tourists actually would prefer to stay at an Airbnb, a home, in a residential neighborhood than in a resort. Is that what we really want? There will be a consequence and I do not know what the balance is.

Mr. Hull:

Yes.

Council Chair Rapozo:

Thank you.

Committee Chair Chock:

Councilmember Yukimura.

Councilmember Yukimura: In terms of managing growth, really the main tool is limiting resort units on the island. Is it not?

Mr. Hull:

I would agree with that sentiment.

Councilmember Yukimura: In terms of air flight landings, I have asked staff to find out exactly what the procedure is for approval. I would say at minimum, the capacity of the airport to handle visitors would be a limiting factor. If we had the old Lihue Airport that we used to have where you could go right up to the gate, you would not be able to handle as many as we can now. There must be some carrying capacity in this airport, the minimum, or the undisputed limit would be if safety gets jeopardized, right. I have been wondering as someone who lives across of Kaua'i High School and the planes used to fly only over the high school and the neighborhood, until they built the new runway whether they are going to try now to have both runways being used to expand, and that has impacts on neighborhoods. The question is what is the process and how are we defining the capacity of the airports? That is a partnership issue with the DOT and I wondered if you folks have explored or investigated any of that.

Mr. Hull:

At this point, no.

Councilmember Yukimura: Would you object to an amendment that in under partnership needs talks about working with the DOT Airports Division to see whether flights could be limited in based on rational criteria.

Mr. Hull:
it.

I would not have any objections to exploring

Councilmember Yukimura:

Thank you.

Committee Chair Chock:

Any further questions?

Councilmember Yukimura: I have some questions on the economy in general, which is what they briefed us, but I am aware of Mr. Whitlock here.

Committee Chair Chock: We kind of covered all of the areas of this topic in general and in detail. I think what I would like to do is if there are any last questions on any of them and any of the amendments that have come forward and we can just wrap it up that way. Is that okay?

Council Chair Rapozo:

I have one (1) more question on tourism.

Committee Chair Chock:

Sure.

Council Chair Rapozo: It is driving me crazy, the carbon offset program, what is the carbon offset program? I heard Councilmember Yukimura

explain what she thought it was, but what did you mean when you put that in this plan?

Ms. Williams: There are many different types of carbon offset programs and I do believe we have it in our partnership needs section and not necessarily as something that the County would take the lead on. For example, there are hotel chains. I am not sure if any on Kaua'i do in fact do this, but they might offer, for example, somebody coming to visit a place they might pay an extra twenty dollars (\$20) and it would go into some sort of fund where a tree is planted somewhere else. They would capture the carbon, thus it would serve as an offset to the carbon that actually released due to the travel. It would be some type of program like that. They are in place. I am sorry, I do not have information on what type of offset programs are currently on island.

Council Chair Rapozo: So it is not necessarily generated by the County, but by partners.

Ms. Williams: Yes, we do say that it would be an appropriate partnership need.

Council Chair Rapozo: Got it. Thank you.

Councilmember Yukimura: I just want to say there is a fabulous company that is growing *koa* trees on the Big Island and they are a potential offset, because they are growing trees that absorb carbon over years.

Committee Chair Chock: Okay. Any specific questions on tourism? If not, I know there are some loose ends to wrap up on the economy in general. I see Mark Perriello here. I think we lost Diane Zachary and Mr. Whitlock was one of the people in agriculture. Let us just wrap this all up, if we can, and maybe one (1) can sit up here.

Councilmember Yukimura: Hello, Ned. Thank you for waiting all this time. I know farmers are busy. I want to ask you a few questions to establish you as a resource person and then I want to ask you some questions about ag lands. You should state your name.

NED WHITLOCK: Ned Whitlock.

Councilmember Yukimura: Ned, are you a farmer in Moloa'a?

Mr. Whitlock: Yes.

Councilmember Yukimura: How many acres do you farm?

Mr. Whitlock: Twenty-eight and a half (28.5).

Councilmember Yukimura: How long have you been farming?

Mr. Whitlock: In Molokaʻa for fifteen (15) years and twenty-five (25) years in Arkansas.

Councilmember Yukimura: Fifteen (15) plus twenty-five (25)?

Mr. Whitlock: Something like that.

Councilmember Yukimura: Over thirty (30) years. Okay, so basically you have been a farmer most of your life.

Mr. Whitlock: Yes.

Councilmember Yukimura: What do you grow?

Mr. Whitlock: Right now, we have four (4) acres of organic vegetables and the balance is mangos, avocados, bananas, papayas, just tree fruits, basically, and some timber. Some timber for windbreaks, bamboo, and things like that.

Councilmember Yukimura: Are you a fulltime farmer?

Mr. Whitlock: Yes, that is all my income.

Councilmember Yukimura: Where do you sell your produce?

Mr. Whitlock: We do Sunshine Markets, we do six (6) Farmers' Markets a week or something like that and health food stores, a lot of restaurants, and it is basically half wholesale type business and half retail at the markets.

Councilmember Yukimura: Okay, so Sunshine Markets, restaurants, you say about half wholesale like and half direct marketing.

Mr. Whitlock: Yes.

Councilmember Yukimura: I remember you telling me that when you came here, you came here looking specifically for ag land to farm on Kauaʻi.

Mr. Whitlock: Exactly, sure.

Councilmember Yukimura: What were you looking for?

Mr. Whitlock: I was looking for, well besides being surrounded by warm ocean, dependable water supply, relatively flat land, and a big enough chunk to justify equipment and farm at a scale that seemed fun.

Councilmember Yukimura: Dependable water, relatively flat land, large enough size to justify equipment purchase to make it economically feasible to farm.

Mr. Whitlock: Exactly.

Councilmember Yukimura: How many people farm? You are fulltime, so many people does it take to run your farm?

Mr. Whitlock: I would say a dozen to fifteen (15).

Councilmember Yukimura: Okay, twelve (12) to fifteen (15).

Mr. Whitlock: Mostly part-time, but some fulltime for sure.

Councilmember Yukimura: Mostly part-time and two (2) or three (3) fulltime?

Mr. Whitlock: Yes, three (3) or four (4).

Councilmember Yukimura: I want to show the map on page 234.

Councilmember Brun: Page 233. There is none on page 234.

Councilmember Yukimura: Yes, page 233. What did I say?

Councilmember Brun: Page 234.

Councilmember Yukimura: Oh, I am sorry. Ned, this is a map of the Līhu'e area and the light green is ag lands and the white striped is in the center part of the map, which is important ag lands. This map is saying that the most important ag lands are in that part of Līhu'e.

Mr. Whitlock: Is that like Kilohana Crater in the center there?

Councilmember Yukimura: Yes. So, as a farmer, does that make sense to you?

Mr. Whitlock: I do not know. It looks like a lot of swampy land back in there.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: Wait, can we have some...

Committee Chair Chock: No, actually. The thing is the Members here did not want to go back into IAL and have the same conversation. If you want...I understand you have some questions of...

Councilmember Yukimura: I am sorry...

Committee Chair Chock: I understand you have some questions of Mr. Whitlock. As it pertains to this, you already built him up as a good resource. We understand he is a good farmer, I totally get it, but what are you getting at in terms of IAL? We know you do not agree with IAL being in the upper land.

Councilmember Yukimura: I am just wanting to hear from a real farmer what he would say is important ag lands. That is all.

Committee Chair Chock: Okay.

Councilmember Yukimura: Thank you.

Committee Chair Chock: Continue.

Councilmember Yukimura: Thank you.

Councilmember Kaneshiro: Again, what does this have to do with...

Council Chair Rapozo: Real quick...

Councilmember Yukimura: Because if we want some amendments, we may want to make some amendments.

Councilmember Kaneshiro: So, you want to change the IAL designation?

Councilmember Yukimura: No, we might want to propose that the County go in and propose more important ag lands in Līhu'e.

Council Chair Rapozo: Okay, but again, that can be done. We can do that a separate time. It is not a General Plan item.

Councilmember Yukimura: It is a General Plan item.

Council Chair Rapozo: It is a "now" item. If we want the County to go after IAL, that is not a General Plan, it is "now."

Councilmember Yukimura: It is a "now" and a General Plan.

Council Chair Rapozo: We can create an agenda item and we put the finding in and we tell the department and administration.

Committee Chair Chock: So help us along here, Councilmember Yukimura, in terms of a specific amendment that you are wanting to address in the General Plan as it relates to IAL.

Councilmember Yukimura: I have to do my due diligence before I know exactly what I want to propose.

Council Chair Rapozo: The other question, Committee Chair Rapozo, are we going to go through each map and ask Mr. Whitlock?

Committee Chair Chock: Is that what we are doing?

Councilmember Yukimura: No, this is the only question I want Mr. Whitlock to answer.

Councilmember Kaneshiro: I think it is unfair to have Mr. Whitlock who farms on the north shore come and talk about what is important ag lands in Līhu'e when he does not farm in Līhu'e.

Councilmember Yukimura: Well, I am not sure you should be talking about this either since it is Grove Farm lands.

Councilmember Kaneshiro: If you want to change the IAL designation, then try to change it, but we went...

Committee Chair Chock: I am going to call for a break.

Councilmember Brun: That is the same thing. We talked about *mauka* lands not being good important ag lands and when I was working at the plantation, we grew the best crop on *mauka* lands.

Committee Chair Chock: This is what we are going to do, we are going to take a lunch break, if we cannot get to the question.

- Councilmember Brun: It is different people doing different stuff.
- Committee Chair Chock: If you have one (1) question for him.
- Councilmember Yukimura: I have only one (1) question and I have already asked it.
- Committee Chair Chock: Let us end this.
- Councilmember Yukimura: Does it make sense to you, Ned? Just tell us as someone with your farming experience.
- Mr. Whitlock: The striped area in the middle.
- Councilmember Yukimura: Yes.
- Mr. Whitlock: As access is limited, it is hard to say what is going on there. I would imagine there are just thriving like past the arboretum area, is that even farther out or is that similar?
- Councilmember Yukimura: There is no arboretum. This is Līhu'e.
- Mr. Whitlock: This is Līhu'e, okay, it is farther out.
- Council Chair Rapozo: Can you show that part?
- Councilmember Kaneshiro: And that is exactly what I said, why are you...it is unfair to have Ned say what is good ag land when he has not been there. Ask him about Moloa'a and good lands there. I do not...it is...
- Committee Chair Chock: Did he answer your question?
- Councilmember Yukimura: He did not finish.
- Mr. Whitlock: I am just guessing looking at the green coming down is Kilohana, is that correct?
- Councilmember Yukimura: Yes, that is why the topographical lines would help, but it is coming down from Kilohana.
- Mr. Whitlock: Looking at the stream, the stream coming off of there, perhaps, that was all *lo'i* at some point. I do not know. I guess I cannot

answer that question as far as not being intimate with the area. It is probably a lot rougher than I would...

Councilmember Yukimura: You would not buy it for ag?

Mr. Whitlock: I do not want to flip my tractor, I want to be safe.

Councilmember Yukimura: So, slope is important to the farmer, you have already said that farming relatively flat land is very important.

Mr. Whitlock: For me, at this point in my life, yes. I came from someplace where there were rocks and hills and I was looking for some good dirt to play in.

Committee Chair Chock: Further questions of Mr. Whitlock?

Councilmember Brun: I do. Did you ever physically see this land and actually physically know what this land looks like?

Mr. Whitlock: The best I know is like where the forest plot is out towards the Humane Society and just sort of looking at it over the fence.

Councilmember Brun: But you have never been on this land that is in question right now?

Mr. Whitlock: No.

Councilmember Brun: Okay. Thank you. Sorry that we are putting you through this, but it is not fair for you coming up here answering questions on land that you have never been on or seen in your life. Sorry about that.

Mr. Whitlock: I have been on Kalepa Ridge back out there and seen that land.

Committee Chair Chock: In your testimony, you spoke about food sustainability and I just wanted to get a sense more of within the General Plan, because it does mention it, but I was wondering if there were something more specific that you were looking for in the General Plan or in an amendment that would inform it.

Mr. Whitlock: Well in the General Plan as the last version, it seems like it has a lot of "homework" sort of thing instead of concrete things that we can do right now to make it easier to push things forward.

Committee Chair Chock: Are you talking about the last General Plan or this General Plan? I heard you say, "The last General Plan."

Mr. Whitlock: Well, I just got a copy of one with a bunch of things that changed.

Committee Chair Chock: It is probably an amendment page.

Mr. Whitlock: It is critical somehow marrying the farmer with the land and that has been the whole stumbling block for generations. How do you do that is a good question. My solution would be in a way perhaps if there was a semi-private/public entity that would lease development rights of a big piece of land and then release it to farmers where they could build on it and be there. Big enough chunks so you can buy a tractor, you can work it, and then part of that process too perhaps there is a corporative that could process whatever you are making. I am a big fan of going into frozen food, coconut products. There are a lot of things you can do if you have the right facility and big enough base of farmers in a local area that is not too far to go and you are not clogging up roads and bringing it all together. That is sort of my vision anyway.

Committee Chair Chock: Thank you. Council Chair Rapozo.

Council Chair Rapozo: Thank you, Ned, for being here.

Mr. Whitlock: You are welcome.

Council Chair Rapozo: No, no, no. You can sit down. We are going to use you now as a resource person because I do not think there is any dispute on this table that you are a true farmer. By the way, that Rapozo mango tree in my yard is still growing.

Mr. Whitlock: Giving you fruit?

Council Chair Rapozo: Nothing grows in my yard except the tree that you...no, it did not give me any fruit yet. I am probably doing something wrong, but it is still alive and that is an accomplishment.

Mr. Whitlock: Well, again...

Council Chair Rapozo: We will talk later about that.

Mr. Whitlock: In Arkansas, I was trying to grow apples and pears and things like that and it is easier on the west coast, but there, you got some bugs and stuff that make it very difficult.

Council Chair Rapozo: Mine is really nice.

Mr. Whitlock: When I came here, I did not want to paddle upstream anymore. I wanted to grow what grows and there is potential here on this island. It is amazing. If we can pick the right crops and just go for it and then have enough commodity base that we could process.

Council Chair Rapozo: I am going to ask George Costa at some point and hopefully we can get through this before lunch, but you brought up this morning the tax, which was very intriguing. I am not a farmer, so I do not think in those lines, but you brought up a very...what I believe is a very important issue. We do not need the General Plan. There are a lot of things we are talking about in this General Plan discussion that we do not need the General Plan to pass for us to do and that is one of them. I would like to hear more and not on that, because that is something that I will explore with our tax office to see how we can close that gap, because I believe there is some merit to what you are saying. We want to incentivize people growing food. I like the open land, too, the open space, but as we are trying to get farmers to farm more land, there has got to be an incentive to put things in the ground. Anything else that you see today regarding the General Plan looking forward down the line, this is the guideline and basically the vision going down twenty (20) years, any other thoughts that you may have while you are here that we should be considering? I know you just said a few.

Mr. Whitlock: If they could get past the legal stuff, growing a hemp crop in a way where you can be making building materials out of that where panels or hemp creed or something. I have been building a farm worker house right now, but it is all like Home Depot and off-island. If there is some way we could start looking in the future of making affordable units out of locally grown carbon would be amazing.

Council Chair Rapozo: You believe that we could do that here on Kaua'i? That we would have labor cost and everything else, and I am asking because I do not.

Mr. Whitlock: I do not know the economics of it, but if you have enough production base and facility to process, who knows.

Council Chair Rapozo: That is the question that we have to explore because someone has to invest the money to do the manufacturing and the processing and then I do not think Kaua'i can use all of the material, they would have to export.

So, there are a lot of questions as far as manufacturing on Kaua'i and making it a goal. That is definitely an interesting...

Mr. Whitlock: Right now, I am growing some dryland taro, it is not a big deal, but you find the right varieties and you mix it in with your vegetables where it is getting enough water, but we just need more of that. You need to grow more of the staples and figure out how we could do starches, tapioca, and things like that.

Councilmember Yukimura: Sweet potato.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: You said that you need enough land to pay for a tractor if you are going to do fulltime farming.

Mr. Whitlock: Yes.

Councilmember Yukimura: About how many acres is that?

Mr. Whitlock: It all depends, but a ten-acre plot is enough room, I would say, but twenty-acres is nice.

Councilmember Yukimura: Okay.

Mr. Whitlock: I am at a point where if I was younger, I would gladly take on twenty (20) more acres where I could do more rotations and experiment with more cover-crops and things like that, but I ended up planting so many trees on my place that I am sort of squeezed to four-acres of high value in crop.

Councilmember Yukimura: How many acres did you say you have?

Mr. Whitlock: Twenty-eight and a half (28.5).

Councilmember Yukimura: With another twenty-acres, you could conceivably even farm fifty (50) acres.

Mr. Whitlock: Yes, with the right...those additional crops would have to be more machine-type things.

Councilmember Yukimura: There has been a lot of farm worker housing, so you would see that as very important too, and you are one of the permits, right?

Mr. Whitlock: Yes. I see farming as a way of life too. If I was computing to do it, I do not think I would go there that much. I might, but it has always been a puzzle, now why out here on the countryside would it be illegal just to camp on your own land. That seems to be like hippy-camps, but why would that be in the plan? I understand crowded neighborhoods and over density and things like that, but if people can spread out and turn this place into paradise, I am all for it.

Councilmember Yukimura: Okay, so from that...

Council Chair Rapozo: You are no longer our resource person.

Councilmember Yukimura: No, no, no. I am just trying to figure out how to interpret from that the need for housing.

Mr. Whitlock: Well, I came from Arkansas and there are trailer houses all over the place and we do not have them here, but how can you have something in between that people have a nice structure, but it is not permanently wooded infrastructure on the ground. You have to be close to make it work.

Councilmember Yukimura: Yes, okay. You are not going to be absolutely tied to the ground with farm worker housing. I think if you get some experimental permits and show models of how it could work, maybe it could work, and you are doing it in terms of showing how the existing permit will work because you are one of the two (2) or three (3) that did get farm worker housing permits.

Mr. Whitlock: Yes, and I am so thankful for having that opportunity, but I will jump through whatever hoops as needed to do that.

Councilmember Yukimura: We have to make more of that possible for real farmers. We know we want to provide the wherewithal to have housing for the workers or their families without falling into the other side where it is people who are not really farming.

Mr. Whitlock: Totally understandable. It is not an easy thing to balance for sure.

Councilmember Yukimura: Thank you.

Committee Chair Chock: There are two (2) more questions for you.

Councilmember Kaneshiro: While you are here, I am going to pick your brain a little bit.

Mr. Whitlock: Okay, go for it.

Councilmember Kaneshiro: Do you see if the market can absorb everything that you grow? If you were to expand another twenty-acres, is there enough of a market on Kaua'i that...because from my experience with some farmers, they say that they can only sell so much at the Farmers Market and then they do not have another market to grow. You might have a different business plan and a different market to sell to, but I am interested to know. A lot of people say, "Everything you grow, you can sell," but I see farmers that are not able to sell produce because people are not willing to buy it. Maybe the market is too absorbed. Papayas, people are only willing to buy a certain amount, but as far as your experience has the market been able to absorb everything you grow or has it been difficult and you need to find a niche for certain things?

Mr. Whitlock: Once in a while we send things to the food bank, the leftovers and things like that, but we have not really bothered to scratch some of the markets because we are on a scale that works. If the farmers can move into the food school lunch programs, I mean there are a lot of things that the Department of Education are working on, but there is so much opportunity and a lot of other ways. The problem that we have had a lot of times is dealing with the supermarkets. The buyers are on Honolulu. We have been doing Princeville Big Save...

Councilmember Yukimura: Foodland?

Mr. Whitlock: Foodland. But again, the people who do the deliveries are not so hot on it because the employees do not seem like they are appreciative of it; it seems like sort of a pain and it is just an attitude that...we still do it, but it is not encouraging. Any way the County can encourage the purchasing. Again, it comes back to food federal regulations on food handling and so coming through food hubs where farmers can bring their stuff and then have a central marketing outlet. We do not even try the south shore because of transportation. If there were transportation outlets and refrigerated trucks would pick up and organize, but in my mind, we have not really scratched the surface. We are not really trying that hard.

Councilmember Kaneshiro: Okay. Thank you.

Committee Chair Chock: Councilmember Brun.

Councilmember Brun: I heard you brought up about trailer homes and I see that all over the mainland. I do not know if this is for Ka'a'ina, but is that even legal to do on the island? It should be, right?

Mr. Hull: Trailer homes can be used on-island for residential dwelling. The Code requires you kick off the wheels and accesses to make it a permanent structure, but as long as you have the density for the property, you can use it as a dwelling. Often a struggle with some farmers is that they may have a piece of property or they may be leasing it and I think Ned was getting to it...but they do not have the ability to build a home on it. I should say they do not have the density that they can use to put the trailer on.

Councilmember Brun: Okay.

Councilmember Yukimura: Just to finish the conversation, the farm worker housing allows additional density if you meet the requirements. Arguably, you could take that trailer and do what you say needs to be done to modify it and it is readily movable, which is one of the requirements, so that might work in conjunction with farm worker housing, but you have to show that you are a real farmer.

Mr. Whitlock: The thing is we need to figure out how we can build those units here. It is not practical because we are not coming down the highway from Texas or whatever.

Councilmember Yukimura: Yes, it is much harder.

Mr. Whitlock: If you can figure out a simple design with panels that you could make on-site or even going into earth, adobe brick or whatever, there are a lot of possibilities and we are just beginning to look at.

Councilmember Yukimura: Yes, even those tiny houses that are modeled right now in Anahola.

Mr. Whitlock: But even with the current farm worker housing, I put in a permit for two (2) houses. I have had eight hundred (800) square feet and right now I am building a house for my family at twelve hundred (1,200) square feet and that will have three or four generations in it to begin with. Still, that leaves me with six hundred (600) square feet for my need, which is a dozen workers. I am just sort of limited to what I can do there.

Councilmember Yukimura: We should look into amendments.

Mr. Whitlock: Just depends on each individual circumstance, I would say.

Committee Chair Chock: Thank you very much for your time. We would like George Costa to come up. While he is coming up, Ka'āina, I do have

one (1) question. There was some testimony and some consistency in testimony that have come up in terms of the Heritage Section that is just looking for more specificity for instance protection or management. It speaks to things like Kaua'i's fishponds, but also wanting inclusion of protection of others, such as heritage cites, the Salt Ponds, for instance, and any *lo'i* activity and *kalo lo'i* that you think is important. I am referring to one that I can share with you, it is from Mehana Vaughan. It talks about informing the need for the practice to be a part of that and I was just wondering if you folks would be open to seeing some of that language. It is really about strengthening the language that is there to make it more we have to encourage, not just encourage, but use the practices and whatever tradition we are talking about.

Mr. Hull:

We would definitely be open to that.

Committee Chair Chock:

Thank you very much. Council Chair.

Council Chair Rapozo: Thank you George for your patience of waiting all day and we will probably end with you before lunch. You heard Ned talk about what would help, such as food hubs and some assistance. Maybe the county can provide some assistance. I wanted you to have an opportunity to share if anything we are doing right now or the plan going forward to assist our local farmers like Ned and all the rest.

GEORGE K. COSTA, Director of Economic Development: For the record, George Costa, Office of Economic Development. As I mentioned in yesterday's testimony and just briefly some of the programs we working on. We actually visited Ned's farm a month ago to see his operation and it was all part of working with Yoshita L'Hote with the Kīlauea Community Ag Center. Part of the Ag Center right now they have a community farm, they have some community gardens, but the larger vision is a food hub operation in conjunction with that, I also mentioned yesterday the Kaua'i Grown Program. When we started Kaua'i Grown back in 2012, the initiative was to market and promote local farmers, ranchers, and value-added products. As we started working and developing the program, we started going out and working with Guy Ishihara, Rod Sueoka, Foodland, Safeway, and to hear what Ned just mentioned that in some way the County can help...that is why I mentioned yesterday, we would like to really expand the Kaua'i Grown Program to what we had intended. Truly making it a resource for farmers and ranchers to help promote their products, but more in a coordinating effort. Through our Sunshine Markets, we have a lot of farmer vendors that are in our Sunshine Markets, but the majority of them are small farmers and backyard farmers. The Sunshine Market venue is perfect for them because they really do not have any intention of expanding. There are a few. Some of the Thai farmers that have the capability and are what we would consider larger-scale farmers. They have anywhere between five (5), ten (10), and some of them twenty (20) acres, like Ned, where they can be a part of the Kaua'i Grown Program. We can really work to coordinate all of their efforts, have an inventory of all the

farmers, the farms, what they grow, and work with various markets to see if we can coordinate that and see what the demand is out there. Even to the point that, some of the farmers have expertise in growing a certain type of crop, but it may not be the crop that is in demand right now and so that would be a coordinated effort. Those are some of the things that we are currently working on from the Office of Economic Development. I also mentioned that we just started the launch of Next Generation Sector Partnership, which is basically kind of reversing where from OED agriculture, we go out and we say, "How can we help you?" The Next Generation Sector Partnership is basically convening the industry and having them come together and let government and support groups know what they need as opposed to us thinking we know what they need and so this is what we are going to do. As I mentioned yesterday, we launched our sector partnership meeting in September at Kaua'i Community College and from that meeting, those that were in attendance came up with five (5) committees. One is marketing, one is water, and I forget what the other three (3) were, but we are starting to convene those groups comprised of the industry to help us further plot the direction that we want to move in to help them with regards to agriculture. Those are just some of the things that we are currently working on that kind of touch upon what Ned had just talked about.

Council Chair Rapozo: On number 2, "Update and implement the Water Inventory and Management Plan." How connected is your office with the Water Department as far as water? Do not feel bad because they were here a couple days ago or whenever it was and I do not think they connected with anyone, to be honest. I am not here to put you on the spot, but I need to know, George.

Mr. Costa: No, I do not mind.

Council Chair Rapozo: I am starting to find out a lot of things about water that is of major concern and I just want to know, because we can promise the world, but if there is no water...we are dead. I need to know.

Mr. Costa: What I learned early on when I first came in to this job in 2009, one of the first projects I was tasked with was the Kilauea Ag Park and one of the main issues was water. All the irrigation systems that were there doing the Kilauea plantation days, all those easements got brought up, the land filled in, and now their homes. I actually met with Greg Fujikawa who was at the Water Department then to find out about getting water to the ag park. When I sat down with Greg and we looked at this aerial, he said, "We have future plans and we are going to put a water tank here," and I think it was in the Kalihiwai area and maybe from that we may have potable water, but we really do not want to be developing ag parks with potable water. We want to use irrigation open ditch systems. While we were looking at this aerial map, I saw this big blue spot and asked, "What is that," and he said, "That is Kaloko." "Okay, that is a resource right there," but with what happened with the Kaloko incident, now you have all of these water resources that

are actually now either closing down or being limited. Right after that, our department was tasked with the Kilauea Irrigation Study and so I learned a lot through that study and working with the Water Department now, we applied for...the ag park comes with five (5) meters, so what we are doing now is the first ten (10) acres, we are going to use the County water, the potable water, and then work with Waikoa, the Porter Estate, to get irrigation water from the stone dam. It is taking us two (2) years to get the water meters and we still do not have them.

Council Chair Rapozo: Oh, we still do not.

Mr. Costa: I enjoy working with Kirk Saiki, I enjoy working with Eddie Doi, because those folks...we have been working...

Council Chair Rapozo: It is not about the people or personalities.

Mr. Costa: I know, but...

Council Chair Rapozo: I am just asking a general question, how connected are we with the Water Department?

Mr. Costa: I can totally understand the frustration of people, because here we are the County, this is a County asset and it is taking us two (2) years for the water meter. I am actually working with Kirk to put a checklist together that hopefully will people future applicants in getting through the process faster.

Council Chair Rapozo: I am not going to get into the details today about that, but I do want to post an agenda item in the Public Works / Parks & Recreation Committee to have them here to update the 2020 plan, update all their other plans, and to discuss why it takes two (2) years to get a meter. We will do that at another time. It is not just ag, I am talking about this entire General Plan, I really need to know where we are at with water and I will be doing to Honolulu to meet with USGS on the 30th to get an idea of where we are at. I talked to Councilmember Chock about this, if we have issues with water, then this exercise is crazy. If there is no water or we do not have enough water to accommodate what we are trying to put in this plan, then what is the sense? That is where I am at. Listening to Ned, I am wondering is there something we can do to help those farmers, such as housing or whatever it takes to get these legitimate farmers to be successful and to actually provide an attraction to our young people to get into that field. There is no attraction for me, even if I was younger. My kids, obviously, heck no, they are in Oregon. How can we generate that interest from our young people that it is not just working hard to get by where they can actually become successful and earn a decent living as farmers?

Mr. Costa: Having visited Ned's farm, he does a great job. He has a great farm. I saw the house he is building and he is employing local people to work on his farm, so that is one area. I think the Council would be pleased to know that this year in OED, we had a line item of what I call legacy grant process that and we changed that to do an RFP. Thanks to the help of Nalani, we really put an effort into that. One of the grants that we are funding is for the Moloa'a irrigation system to help them with more efficient meters that will help monitor the flow and that is going to benefit those farmers in the area. That is one of the things that we most recently did to help with the Moloa'a farmers.

Committee Chair Chock: Any further questions for any resource people?

Councilmember Kawakami: When we had Big Save, we had a good handle on the basic foundation of economics in supply and demand. I can tell you that we were able to tell just by customer behavior that it was going to be a challenge to have a vibrant local agricultural sector unless we educated our customer base, that local does not necessarily mean "cheaper," but you find the value as far as nutrition, the freshness, and the ability to know where your food is coming from and the grower that is growing it. We embarked on the marketing campaign, but since then, have we done a market analysis to see the shift in customer behavior whether they are buying more local or whether we need to invest in educating the public, because that is what it comes down to? It is supply and demand. We talk about how we promote younger people to get into farming. Well, I am not going to promote a kid to go into farming unless they are going to be making living wage and that profession is going to put food on their table and of course it will put food on their table, but what about everything else. Have we found out what that market demand is; how much these farmers are able to make if they get into this industry; have we even begun at that baseline to see what the market analysis is? Do we have any numbers?

Mr. Costa: We did a study with Hawai'i Agritourism Association (HATA) that looked at farmers to market. We want to take the next step and working with Kaua'i Grown, because the Kaua'i Grown program is a partnership between the County and the Farm Bureau. As I mentioned yesterday, we are reassessing the Kaua'i Grown program to do exactly what you are doing. We have done the marketing, we have gone out to the various markets, we put stickers to promote the Kaua'i Grown program, but it is the feedback that we have not yet and we need to work on. We want to know is this program working, how can we make it better, and fine-tune it. What you just mentioned is what we need to do with that program.

Councilmember Kawakami: There is a huge effort, but it is being driven by the restaurant industry and the visitor industry. You are starting to see a lot more farm to tables coming out of our restaurants, but yet, I know there is a gap in the

grocery business. I can tell you what Ned said is what we hear from farmers that the buyers are based on O'ahu. It is extremely hard for them to negotiate deals or even get a phone call and I know there are growers that have lost big accounts on this island, which puts a huge impact into their entire operation. If they lose one account, then they are left with this business model that does not know how to deal with this surplus all of a sudden. They can try to donate as much as they can to the food bank, but then they are losing wages too. We have to somehow find a way to collaborate with the grocery industry on this island because there are changes now. We have a new player Don Quijote and we do not even know who the buyers are now, so I think we have to spend some effort to bring these folks to the table because I know the restaurant industry has participated. We were at the last stakeholders meeting and most of them were ranchers, farmers, restaurant folks, and I do not know how many grocery folks were there as well, but that is where it begins. That is where we have to overcome the challenges and ask is there a demand for the supply and how do we increase the demand.

Mr. Costa: When we first started out with Kaua'i Grown, we worked with people like Gary Furugen, Rod Sueko, and Guy Ishihara. It was easier because we knew them one-on-one and when we started expanding to Foodland and Safeway, you were right. We would talk to the local person here, but he has to check with the Honolulu office and that process took much longer to get to.

Committee Chair Chock: Any further questions for anybody? We are talking about economy. Councilmember Yukimura. Oh, Councilmembers, we are at 12:30 p.m. We can go to lunch. It really depends on how much more questions we have. I would offer some time for discussion as a wrap up for this section. Staff, if it is agreeable, try to clear it out and get through it, if we can get at least until no later than 1:00 p.m., which is less than half an hour.

Council Chair Rapozo: I have to leave. I have an appointment, but I am available after lunch.

Committee Chair Chock: Let us just break for lunch. We will come back at 1:30 p.m.

There being no objections, the meeting recessed at 12:33 p.m.

The meeting was called back to order at 1:35 p.m., and proceeded as follows:

Committee Chair Chock: Welcome back from lunch break. We are on our Special Planning Committee Meeting focusing on Topic 5, which is Economy. We are just wrapping up our questions and answers for today and so I just wanted to continue to get this...and if any Members have any questions about economy that they would like to ask.

There being no objections, the rules were suspended.

Councilmember Yukimura: On page 155, providing the physical capacity for economic growth. One of the statements is that "workforce housing must also be provided near major job centers," which I am grateful for, and it says, "Such as resort areas in Līhu'e," I just wondered if we have clarity about where the major job centers are. Because if we are suggesting this is a guideline, it needs to be clearly implementable.

Ms. Williams: When we identify resort areas and I know that we were just talking about what that actually means, you know we are obviously referring to Princeville, our major resort area of Po'ipū, you have Kaua'i Lagoons that will build out as well, and all the visitor units in the Wailua-Kapa'a corridor as well. As it pertains to resort areas, it is probably those that are represented on our VDA map that we try to improve that map to make it clearer where the VDA is. We do know that Līhu'e has a lot of a high job concentration as well, as well as the Kapa'a-Wailua area also.

Councilmember Yukimura: Okay, so that is Princeville, Wailua-Kapa'a, Līhu'e, and South Kaua'i.

Ms. Williams: Right now, those are probably our major job areas where there is a high concentration of jobs.

Councilmember Yukimura: If we can get to the top of the page. In 2014, you were talking about the sectors that are identified in the Comprehensive Economic Development Strategy (CEDS) report and there are six (6): food and agriculture, sustainability, science and technology, health and wellness, sports and recreation, and arts and culture. It says at the top, "In 2014, these sectors comprised approximately thirty percent (30%) of Kaua'i's private sector jobs. Almost as large a share as tourism. I wondered how these jobs are divided up because when they say "a larger share of tourism is that," referring to resort employment, because a lot of these areas, food and ag, certainly health and wellness, sports and recreation, are much influenced by tourism, too. There is an overlap, in other words. I just wondered if there is any separation so that we are really learning how much diversification is actually creating separate from tourism.

Ms. Williams: To answer that question, I would need to go back to the CEDS report and look at how they came up with that figure. I would imagine they went directly to the (inaudible) code that identifies the industry that the job falls within, but yes, I would agree that of course there is going to be overlap with certain types of jobs if you are trying to assess the impact of the tourism industry on our jobs.

Councilmember Yukimura: Is that something you can discern or figure out?

Ms. William: Yes.

Councilmember Yukimura: On the next page, 156. I am looking at the economic development goals; one, build, attract, and retain, which is in the colored section. Build, attract, and retain a twenty-first century workforce. Right above that, you do...and this remember is in the section regarding economy. You talk about fostering a university district as addressing the education component of the economic development of the General Plan. I think there is a huge arena in the area of K-12 and those who are going into university and career development in terms of the foundation for a twenty-first century workforce. I do not see any language about that in terms of the importance to the economy.

Ms. Williams: Yes, a lot of our actions related to K-12 youth and our public and private and charter schools is in the opportunity in health for all section. We do have a subsection that only focuses on that, but yes, it is important to connect what students learn in high school or what they are exposed to, to what economic opportunities might be available on Kaua'i. I know there are existing initiatives that are in place, but that is something that can definitely could be strengthened in this section.

Councilmember Yukimura: (inaudible) connection articulated.

Ms. Williams: I think it is. Sorry, I would have to refer to that section and we will presenting on that as part of our next topic, Topic 6.

Councilmember Yukimura: Okay, very good.

Committee Chair Chock: I have a follow-up. Are you talking about the education section? I do not know what the content is, but we are talking about things like the Creative Technology Center or what the County has talked about in the past as being more in that section of development, because I see make or space and some of that in here, but it was not as informed. Where will it sit?

Ms. Williams: We do acknowledge arts and culture as a very important opportunity sector and I believe that CEDS are economic development plan does seek to focus efforts in that area. You are right and this is something that came up through the public process as well that if there was an opportunity for the County or the State even to perhaps provide space for people to come together, share ideas, maybe have access to things like a 3D printer, for example, and exposing groups of people to that as a way to stimulate activity or a new business in that industry.

Committee Chair Chock: My question is really about the specific project, the Creative Technology Center and I know that we have gone back and forth with the funding needs. Is that embedded in here somehow in the language, so that we do not have to call it out or is there a reason why it is not called out or is it called out someplace else? It is a County funded initiative.

Ms. Williams: Yes.

Councilmember Yukimura: May I suggest something?

Committee Chair Chock: Sure.

Councilmember Yukimura: I am feeling like there should be some kind of section of actions, plans, studies, projects, partnership needs; there needs to be something like that for the general topic of economy. We have it for tourism and agriculture, but just a general follow-up actions or whatever that would identify things like the Creative Technology Center (Tech), projects, and programs.

Mr. Hull: I do not think we would be objectionable to another broader policy to be implemented in the Economy section. To Committee Chair Chock's point about the Tech Center, there is nothing specific in the actionables.

Committee Chair Chock: I see number 3, utilize County facilities funds...

Mr. Hull: Also for the small business under projects, invest and share facilities and resources that can be utilized by multiple opportunity clusters. Throughout this there are things that, should the County desire to keep moving forward with projects like that, these broader policies could be used as platforms to launch off of.

Committee Chair Chock: I just wanted to make sure I was clear as to where I was sitting as opposed to education section. I think entrepreneurism could be a major future industry for us. Thank you.

Councilmember Yukimura: Just to finish up with this idea of an overall public education/private education system. I remember when I was talking to Herb Cornell who is the Vice President of Bank of Hawai'i and a really highly regarded businessman, he was head of the business roundtable in Honolulu. He said, "If you want a strong economy, have the topnotch public school system and have a very beautiful place where people want to live." He then said, "Leave the rest up to the entrepreneur." We can create jobs, but if our kids are not qualified for the jobs, then

they do not get it because there are a lot of other people coming in who have the experience or skills. So it seems to me that is sort of a fundamental part of a really strong economy and I just want to see some articulation of that. I think that public schools, if you look at the kinds of... Councilmember Kagawa, maybe you can help me. They say you have a lifelong learner... they describe the kind of student they are aiming for, right? I know that they are trying to do that, but it is just that we are so dependent on that kind of work because if that does not happen, my cousin for example said she had a hard time finding people to work in her materials shop because kids did not know fractions and they could not cut material. Some basics like that are obstacles to the economy and to getting good work, so some explanation of that.

Ms. Williams: Yes.

Committee Chair Chock: Any further questions?

Councilmember Yukimura: Where you say on page 156, "provide adequate space for industrial uses and manufacturing." You said there is a deficit of industrial lands outside the Līhu'e planning district and many small businesses are left to operate in residential areas via use permit or illegally and then you identified the potential former plantation mill sites for redevelopment and that is Kōloa, Port Allen, Olokele, and Anahola. The surplus of industrial space in Līhu'e, that is not translating to small people like Luke Evslin who wanted industrial space and I know he was on your CAC, so there is a disconnect here if there is a surplus in the industrial space, but the small businesses cannot access it. What is the real problem there?

Ms. Williams: I think what we are trying to say here is that yes there is industrial zoned lands and we have a lot of that acreage here in the Līhu'e planning district, but we are not having enough space in our other planning districts to meet those needs. So, it might not mean a very huge industrial park in every single planning district, but we do need to creatively think of ways whether it is rezoning land or changing what uses might be allowed in certain towns, but most likely we would need to do that through a community planned process and go deep into the level where we look at the parcels and see what is going on and what the specific needs are. We thought it was very important to call that out that we do need more space for industrial use in other planning districts.

Councilmember Yukimura: I think that is good and I think the old mill sites are logical sites for some industrial uses. I guess I am thinking that with Līhu'e at the core where all the supplies, where the harbor is and with all of that that it would be important to make industrial spaces available to small users in Līhu'e. That is the disconnect that is not addressed here.

Ms. Williams: I see.

Mr. Hull: As Marie was reiterating, is first just identifying that there is a lack of industrial space on other parts of the island, but at least identifying that and then like Marie was saying, we can through the community planning process or even through zoning amendments, look at possibilities of providing what is essentially the missing link. I will use Kīlauea as an example and this was well before my time. For several years, the Planning Department had been issuing a slew of violation notices to individuals that were shaping their surf boards commercially in their garages. The response back was there is no place in Kīlauea to do these types of industrial uses. The Council at that time responded by providing a very large industrial park where the miniature golf course is now. The reason the miniature golf course is there because the zoning was provided, but ultimately no capital improvements were put in there to turn it into the necessary industrial park. While we in the Planning Department think that zoning can always save the day, it is not just zoning. Zoning did not bring those people there. Additional input needs to be put in to figure out where and how we can get capital improvements in there. So when the actionable is coming in the General Plan section to say there is a lack of industrial areas outside of Līhu'e, it is just to be the leaping platform to begin to delve into more of how we can help ameliorate that issue.

Councilmember Yukimura: I said that was a good thing. I guess I just did not get an answer to my question, which is about Līhu'e and you are already done a community plan, so it was not addressed apparently or was it. It was? In Līhu'e. So, we are making industrial...there is now industrial lands available for the smaller users and smaller businesses?

LEANORA KAIAOKAMALIE, Planner: They are not here yet, but there is industrial zoning that will be part of the upcoming Wainani project in Līhu'e, but it is not here yet.

Councilmember Yukimura: Is that the Grove Farm project?

Ms. Kaiaokamalie: Yes.

Councilmember Yukimura: Which is on how many acres?

Ms. Kaiaokamalie: I do not have the information. Not right now.

Councilmember Yukimura: Can you provide that?

Ms. Kaiaokamalie: Sure.

Councilmember Yukimura: But the entire project is on how many acres?

Ms. Kaiaokamalie: I do not have any of the information in front of me right now.

Councilmember Yukimura: Okay. But it is all those lands from Wilcox Hospital up to Kapule Highway and then from Ahukini Road toward Molokoa, right?

Ms. Kaiaokamalie: As far as I understand, yes.

Councilmember Yukimura: Actually those lands were zoned about ten (10) years ago.

Ms. Kaiaokamalie: Possibly. Yes, again, I do not have that information in front of me, so we can definitely get back to you on the specifics.

Councilmember Yukimura: I am only asking because it is a problem if there is a lot of zoning and it is going to be built out eventually, but it does not get built for many, many years. That is part of the problem with housing in Līhu'e, right? Although I am not sure...I think they are affordable housing requirement is supposed to be met by Koheā Loa. Do you know?

Committee Chair Chock: They do not know.

Mr. Hull: I mean, we can get that information.

Councilmember Yukimura: Yes, I am not angry that you do not have it. I am just asking questions because it is relevant to how our land use unfolds and it affects surpluses and deficits whether it is affordable housing or industrial space. The General Plan is not only about zoning. I mean you have many other things here and it is about the interaction of many different forces, right. Okay. Thank you.

Committee Chair Chock: Further questions?

Councilmember Yukimura: I am looking at OHA's comments and I know at one point I had the thought of sending this over to...Jenelle, did I ask you to do that? I do not think so. I wanted you folks to see these OHA comments. You have seen them?

Ms. Williams: Yes.

Councilmember Yukimura: Thank you. That is all I wanted to know. One of their things is about housing and how deregulation, but I guess since we are not talking about housing, we are talking about the Wahi Pana...so one of their comments was that policy 16 should take into consideration unintended consequences

associated with open and unfettered access to culturally significant areas and resources. Can we have policy 16 up?

Mr. Hull: I will say this, Councilmember, we have been made aware of the comments. We have not had time to digest them. I am not saying that we object to them in any way, shape, or form. I am just saying, we will not be prepared to take a position on their comments on the floor today.

Councilmember Yukimura: Okay, but you will have it to us before we make decisions?

Mr. Hull: Definitely.

Councilmember Yukimura: Okay. So, you are saying we should not discuss any of this today?

Mr. Hull: I have no problems discussing the sector part, the natural heritage resources part, but I was just thinking if you want to discuss the OHA comments, we can get into a dialogue, I would not be able to provide a position statement on the letter at this point.

Councilmember Yukimura: I will just read into the record...well, it is already there, but nobody knows it is there unless they have seen the OHA input. "Policy 16 should take into consideration unintended consequences associated with open and unfettered access to culturally significant areas and resources." I think that is a legitimate comment and I guess you folks will develop maybe some response to it and maybe some wording to address it? Are you pointing to something?

Mr. Hull: It could be inclusive under Policy No. 16. It could be considered under Policy No. 16, definitely.

Councilmember Yukimura: Okay. Staff just said that the Chair has actually sent that all to you. I am sorry we do not talk about everything we do. Okay. Good. Thank you.

Committee Chair Chock: Any further questions?

Councilmember Yukimura: Yes. I am going to ask a question about agriculture, which is under economy is that okay? You have indicators for agriculture development?

Committee Chair Chock: Is there a specific section?

Councilmember Yukimura: Well it goes to all...this whole thing about indicators and monitoring of how well we are implementing the General Plan and I am sorry I have not looked at your implementation and monitoring, but...

Ms. Williams: In our implementation chapter, which is Chapter 4 on page 219. We went through the Planning Commission process to develop a list of draft goals or things that we connected to put the objectives of the subsections are to...it would be something that we try to keep track of to evaluate how implementation of the General Plan is going. The indicator related to the agricultural sector is agricultural employment, so the number of jobs in that sector.

Councilmember Yukimura: Which page is that?

Ms. Williams: Page 219.

Councilmember Yukimura: What number?

Ms. Williams: Number 36.

Councilmember Yukimura: To ensure the long-term viability and productivity of ag lands.

Ms. Williams: That is the subsection objective.

Councilmember Yukimura: Will be agricultural employment. Would it not be the number of acres that have available irrigation water?

Ms. Williams: It definitely could be that. We do acknowledge that the process of developing a set of indicators or performance measures that are truly effective does take a lot of time. You have to bring partners together that really know what the data is and the reason we call them draft in this plan is because there will need to be future work to kind of hone in on what we actually want to keep track of. Yes, that is one indicator that could be used to measure that.

Councilmember Yukimura: The development of indicators to monitor the General Plan is going to be one of the next steps and is that identified as one of the next steps somewhere? I know it will take a lot of work. You, Marie, have been doing that with the health and wellness and the Get Fit Committee, so you know how much work that takes, but we already said that we would do that with the South Kaua'i and the Līhu'e Community plans and I do not know if we have started any work on it.

Ms. Williams: You are right. It does take a lot of staff time and it is something that we would need to commit to. In my mind, it is a (inaudible),

but I am sorry, I would have to look through the plan and see exactly where we identify that.

Councilmember Yukimura: Is that the next step? Okay. It would be important to identify it someplace because if it cuts across all...if it is fundamental to the monitoring of the General Plan implementation, then we need to get it done fairly shortly after the General Plan is adopted if it is going to mean anything. It is any way tied into planning and data, which is sort of fundamental to good planning, because I did notice the technical, build-out analysis that in the summary it says, "Is there a cost-effective method to inventory and update actual land uses," and the answer is no. There could be, but there is none right now, so I do not even know how we did this build-out analysis if we do not have adequate data. I am hopeful that that entire database thing will be addressed as a key priority for planning.

Ms. Williams: Yes, I think we have always acknowledged it as something that we want to improve upon and I know that our GIS capacity in-house we have been increasing it and expanding it. Lea has been working very hard on that and spearheading that movement as well. So, yes, it is a very important part of how we measure the progress of the General Plan or get data for future planning processes as well.

Councilmember Yukimura: So I take it that will be part of the land management system that we just funded at one million plus dollars (\$1,000,000 +)?

Mr. Hull: Yes, and we have that personal request from you that we are discussing on how (inaudible) of tracking of land use data. We will be getting a response back to you shortly. We are working with Del himself to...

Councilmember Yukimura: But it is going to be...

Mr. Hull: Yes, it would have to be.

Councilmember Yukimura: The building of your data systems is going to be tied in with all of that and hopefully it will help you.

Mr. Hull: Yes.

Councilmember Yukimura: Thank you.

Committee Chair Chock: Any further questions?

Councilmember Yukimura: No.

Committee Chair Chock: No more questions? Was there a sigh of relief? Thank you folks for being here. We will be back in two (2) weeks for the next sector. Members, we will call the meeting back to order for some discussion on this Topic of Economy. Would anyone like to discuss their progress? Amendments coming up on December 13th. I can imagine that there are so many amendments coming forward from all of you. Anything to say?

The meeting was called back to order, and proceeded as follows:

Councilmember Kagawa: I just hope that the amendments, like I said, I think there was one that we had consensus on and make sure that we keep the ones that we know that have a good chance of passing. The one that I was thinking about is the Hanapēpē District to move it to Brydeswood. I am working with Councilmember Yukimura on that on. The others that are more questionable as far as having the support that we have those not with the ones that are...you know what I am trying to say.

Committee Chair Chock: Just in regards to that, there are some bright line ones, such as the Princeville and some of the provisional ag ones have come up, and I am just wondering because we had a lot of discussion on the floor about them, but I am not sure if all your folks questions have been answered in terms of being able to make that actual decision on that amendment. I guess my request would be that if you do have any more questions that it goes in writing, so that when the amendments come through, which I hope we will get to some amendments on December 13th, at least these bigger ones to get them out of the way, that we can indeed vote on them on that day and get them out. Because there are so many that are coming up, and then like you said, I think there are some of these less intensive, but we still have to go through them one-by-one because they do impact the plan. Then there are these more insignificant ones that I feel like have been requested by us and also from the community just on some word changes that I think are generally accepted. I think it would help us, Planning Department, as we work through these...I know I have my list and I know Councilmember Yukimura has hers, but because I do not know and I cannot see everyone's listing and this is the place that we would actually discuss which ones they are, we kind of need to use you folks, along with our staff, to categorize them into these piles as they come up. It is hard because we cannot all see it together all at once, so the more that it can happen here right now and saying, "This is the ones that I am looking at," then I think it will go smoother when it comes down to the amendments. Any comments on that?

Councilmember Kagawa: If I can add something. I think the ones that I would see as being contentious are the ones that when you have amendments and I think one of the simple questions is going to be to Planning, to the people that did the legwork, "Do you support this amendment or not?" If they say, "No," then of course that is going to be a contentious one because for a lot of us, we support a lot of what

the work has been done by Planning and the community, and so those already would be automatic ones as being contentious, I would say on my end. If Planning agrees with the amendments, that is pretty much slamdunk, right, to have Planning agreeing and a Councilmember introducing it that is agreeing. That is a basic rule for me.

Committee Chair Chock: Also I would add because there is a lot that we have requested the community to send in specific changes and that is how it is coming in, so a lot of it has to be vetted. Therefore, what is coming in is like, "It is not really what I meant or how I would support it, but maybe I would if it was changed again." So it is like this working work-through that is really taking a long time and so we have this venue, but to me that is not really what is going on here. It is more about discussing real big issues here that is happening rather than specific amendments. I can anticipate that if we do not really start to vet a lot of those and get Planning's okay in the moment, that a lot of those things are going to end up on the backend, if you know what I mean. To me as much as possible, I am trying to avoid.

Councilmember Kagawa: If I can add. So if you have an amendment, at least run it through Planning and they see the amendment and they know how to comment on the amendment. That would be the simplest. Rather than surprise them and they have to see what the amendment is and decide right there on the spot whether they support it or not. If we do our individual homework and work with them through Jenelle, I think that kind of makes it easy to know whether Planning supports it or not or why they do not support it or not.

Committee Chair Chock: So that has been the question. You need to find a Councilmember and then you need to actually make sure that Planning will work with you on it and if it is a legal question, of course that needs to be vetted as well. I have pages for each section again of amendments. Some of them are overlapping, but I think what I might take is at least put the ones that are coming in from the community, I might just have to spend a day with Planning to go over them to ask, "Is someone interested or not," and put it in a pile or something like that. I do not know. Maybe Jenelle or Marie if we can do that? Yes. Okay. Any further discussion on this progress?

Council Chair Rapozo: Number one, we have to figure out the schedule for the next meeting because we do have a conflict. That is one of the things that I wanted to have discussed amongst the Members and then the other thing is and I know Councilmember Kagawa was not here earlier, but I am going to ask that that Water Department be here on the 29th in the Public Works / Parks & Recreation Committee to explain and update us on the water plan and the other technical plan and studies that they are working on. I think it ties hand-in-hand with what this General Plan trying to do and if we do not get accurate water data, then really we end up with an inaccurate General Plan, so I just wanted to hear it from them. I

stated earlier, on the 30th I will be on Honolulu meeting with Hydrologists that are working on that plan to get a better understanding of the water situation here on Kaua'i, because I am hearing all kinds of things. I want to get the facts and I hope I can get that on the 30th. I want to get an idea of where we are at of the Water Department, what are their plans and studies. I know we talked a month ago where some of their projects are being canceled. I want to get an overview, up-to-date, and a timeline of what their plans are and when are these studies going to be done.

Committee Chair Chock: If I could add, for that request is I think there are different methodologies that are being utilized that sort of conflict is what I am hearing and that is where I want to make sure in terms of capacity or even sustainable yield, what we have to work with is actually numbers that we can actually count on in the long run. I know that is not what the Water Department does per se, but I think we should be taking the lead from not only the most conservative, but those variables that make the most sense of moving forward because there are a lot of places around this Country that are suffering because they have gone down a road and not really paid attention to how it is they are managing their water. I know Kaua'i has a lot of water per se, but we are talking about future generations.

Council Chair Rapozo: That is why I think it is important we talk to the Scientist and Hydrologist who actually did the work and looking at what we had and what this island is able to produce. As far as collection, transmission source, that is what the local people do, but as far as what can this island really...what do we have in a way of aquifers and sustainable yield, I think that has to come from scientists and not from water usages over the last ten (10) years. We have to get some scientific data and that is what I hope to get. I am concerned about the water and I think we have to make sure that the data we are working with as we go through this plan is actually accurate data. Thank you.

Committee Chair Chock: The conflict we are dealing with, again, Wednesday, November 29th, 30th, and December 1st.

Councilmember Yukimura: What is the conflict?

Committee Chair Chock: I do not know. What is the conflict?

Council Chair Rapozo: There was RSVP (Retired Senior Volunteer Program).

Councilmember Yukimura: Which day?

Council Chair Rapozo: I think it is on the 15th.

Committee Chair Chock: It might be December 15th. Scott, do you know when the RSVP is?

Councilmember Kawakami: The 15th of December.

Committee Chair Chock: Yes, the 15th.

Council Chair Rapozo: Oh, okay. I am a little too early then.

Committee Chair Chock: There is also the Christmas competition, Holly Jolly.

Councilmember Yukimura: When is it?

Councilmember Kawakami: I am not going to compete.

Committee Chair Chock: Scott, what day is that and how it is conflicting? Can you tell us? Okay, so December 14th and 15th. We were talking about having half days on both of those days, so we would take care of the Christmas event in the morning and then also the RSVP and that would leave the afternoons of each day open, is that okay with everyone.

Council Chair Rapozo: What is that Holly Jolly thing?

Committee Chair Chock: You know, where they go over across the street and sing. It is up to you folks. 1:00 p.m. to 4:30 p.m. would be the option.

Council Chair Rapozo: We will just designate some of the staff to sing on our behalf. All the ones wearing red today.

Committee Chair Chock: Somebody has to take notes though. So, we will not worry so much Christmas event, but I know the RSVP event is one that everyone wanted to attend.

Council Chair Rapozo: It is just important because of the public and making sure that they know so they can plan. I am sure these people already blocked out their calendars and schedules, so if we are going to make any changes, we just need to let them know.

Committee Chair Chock: It is coming up in a couple weeks, so we should get clear of it. Councilmember Yukimura.

Councilmember Yukimura: We are scheduled to meet on the 30th regarding this and Chair, you said you have a meeting on the 30th with the Hydrologist.

Council Chair Rapozo: Yes, in the morning.

Councilmember Yukimura: Why do you not have him come and talk to all of us so we can learn too?

Council Chair Rapozo: Because I am also meeting with DHHL and I have several other meetings in the morning and I will be back in the afternoon.

Councilmember Yukimura: If the subject is water and the General Plan, it could be a really educational form...

Council Chair Rapozo: Maybe they will come at some later point, but this is something I needed to schedule right away for myself.

Councilmember Yukimura: Okay.

Committee Chair Chock: Okay.

Council Chair Rapozo: You can have them come, but this is a really last minute thing and after hearing the Water Department's wonderful performance the other day...

Committee Chair Chock: Are we in agreement then at this point in December, we will still move ahead with amendments starting Wednesday, we will have a full day on Thursday, and maybe if we can get through it, I think Thursday is the RSVP, and then we will definitely take a break for that.

Councilmember Yukimura: I have some discussion. Can I get your help? I just want to put these up. This and then this.

Committee Chair Chock: Let us take a five-minute break.

There being no objections, the meeting recessed at 2:25 p.m.

The meeting was called back to order at 2:30 p.m., and proceeded as follows:

Committee Chair Chock: We are wrapping this up. I am going to ask if any Members have any further discussion on Economy. Councilmember Yukimura, did you have a few words that you wanted to share. I know we took a break.

Councilmember Brun:

Just a few.

Councilmember Yukimura: Yvette, I think I am going to hold that off. I am going to better prepare a presentation for later. Thank you. I do want to say since we are on the subject of economy that we all know that tourism is the backbone of the economy at this point. We heard today how too much tourism could really kill the goose and lays the golden egg and we heard about that from Alan Carpenter. It is a microcosm of what we are dealing with as planners for the entire island, but it is very, very critical. I do appreciate and commend the Planning Department for seeing that and trying to remedy years of zoning and General Plan designations that have not been conscious of the total impact and the possibility of actually hurting the island in the long run. So, we do not have all the tools we wish we had like stopping people from coming to Kaua'i or at least limiting the number of people who can come at any one time. We are not even sure that we can control the number of seats on planes into Kaua'i, although I think that is an area we should pursue because it is not yet clear that we do not have any controls and we need to not leave a stone unturned to see if we can address the problem, at least partially, by looking at the flight schedules. Our really main tool is how much zoning and General Plan designations we give for resort. That is very, very clear. I do not believe Carl Imperato's well-intentioned conclusion that if there is no demand they will not build a hotel because there is a lot of very rich developers who will come in just to sell this entitled land. We just saw an example of that on O'ahu where a Chinese developer bought two (2) entitled lots for five hundred million dollars and we become a pawn in the world for developers who do not live here, do not really care about what this place becomes, and just are interested in making a lot of money, so we have to control it where we can and I think it is in giving out permits for resorts. While the use it or lose it proposal is a well-intentioned attempt to do that after the fact, retroactive, I think we really need to look at the system by which we give out permits and how to make sure that developers pay for all their impacts: roads, sewer, water, and parks, because if we do that, and we put the true cost of development on the developer, they will be less likely to build or even ask for the zoning unless they have a wherewithal to do what a good developer would do. I think we have a lot of work cut out for us, but as far as the General Plan is concerned, we need to...where we have the ability, remove the resort designations and where we do not see what we can do with the zoning...and I think to the extent that we can add on conditions, for example, our affordable housing condition is imposed in the time of zoning permit and a subdivision permit. So, just having the zoning for the resort, does not mean that they can escape all the conditions that we put in place and we need to do that and put in place as soon as possible those requirements.

Committee Chair Chock: Thank you. Any further discussion on this topic? If not, I will just say, I know sometimes it is difficult to get to the heart of some of what we are challenged by within this plan, at least to bring it to the surface and have a discussion. I actually appreciate a lot of the questions that come from

Councilmember Yukimura, although they can lead us in different directions and sometimes be less productive than I would like them to be, I think they stand for a lot of the key issues and areas that we need to be focusing on. I learned a little bit out of the discussion of "provisional" as it relates to what we should be doing or how we should be looking at it. A lot of what we heard in the last couple days, really for me, circles back to where we are limited by State oversight or State jurisdiction. I think because of it, I know everyone around the table gets frustrated and we even heard that we have to do something even though it is not within our purview, whatever we can do. I agree in that sense in just saying that wherever it is within our power as the County, that we should take some bold steps to protect all of our resources, people, our way of life, and lifestyle. That being said, there are also balances that we need to make and in order to ensure that we continue to strive and move forward in the industries that we have set before us. I think there are a lot of creative discussions and innovative discussions about how it is we could really format some of our oversight as a County. We talked about Hanauma Bay, who manages that, and how we can be more of a partner as a County in ensuring that now and in the future, we have some sustainability in term of keeping our island character and also providing the jobs that are necessary. We just have to keep at it and I am hoping that through the last two (2) days, we will come back with some amendments that will help support that even further, even as much as all the work that has been done so far. Anything else? If not, what I was asked to do is just to share again that the next meeting will be on Wednesday, November 29th, after lunch. We will take on Topic 6, the Watershed, Energy, Sustainability, Public Safety, Hazards, Resiliency, and Opportunity and Health for all. So we are going to do Topic 6 and then we are going to do Topic 7. We will see the presentation from Planning and then of course we will go into questions and answers that will take us into Thursday public testimony. I know we had someone come late this afternoon for public testimony, but we are going to catch up with her later. 8:30 a.m. public testimony, we will take all public testimony at that time and continue until we are completed on Topic 6 and Topic 7. If need be, we have Friday, December 1st also scheduled to complete anything that we do not get done. So far we have been able to complete everything on Thursdays, so I appreciate the consideration of people's times. Also for all the resource people who come out, I do not know who called Mark Perriello today, but we did not even use him and we called him out of work to come here. So if we do have some resource people, let us see that we do have some questions for them that can be answered. With that, Councilmember Yukimura.

Councilmember Yukimura: Just for clarification. We are starting in the afternoon on November 29th and taking public testimony on the 30th at 8:30 a.m.?

Committee Chair Chock: Correct.

SCOTT K. SATO: Committee Chair Chock, the meeting on the 29th would occur after the regular Committee Meetings, so the time is not determined. It just depends on when those Committee Meetings finish.

Committee Chair Chock: Typically, we have been going after lunch and starting, but for instance, this past week we thought we would get done earlier and start. So, whenever the first Committee Meeting is done, then we start into it. We do not have the schedule yet, so we cannot start to determine or estimate when that would be.

Councilmember Yukimura: Okay. But then the next day at 8:30 a.m., so we are not starting in the afternoon on Thursday, we are actually starting in the morning.

Committee Chair Chock: That is correct.

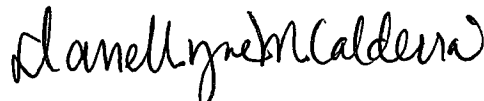
Councilmember Yukimura: What are the sections? Energy Sustainability, Public Hazards...

Committee Chair Chock: Section 6, which is Watershed; Energy Sustainability; Public Safety, Hazards and Health, and then Implementation, Reporting, and Monitoring. Therefore, we have a lot of ground to cover in the next one and that will be the wrap up of all the sectors as outlined. The following meeting will be in December and will be the start of amendments.

Council Chair Rapozo moved to defer Bill No. 2666 to the November 29, 2017 Special Planning Committee Meeting, seconded by Councilmember Kagawa, and unanimously carried.

There being no further business, the meeting was adjourned at 2:42 p.m.

Respectfully submitted,



Darrellyne M. Caldeira
Council Services Assistant II

APPROVED at the Committee Meeting held on January 18, 2018:



MASON K. CHOCK
Chair, PL Committee